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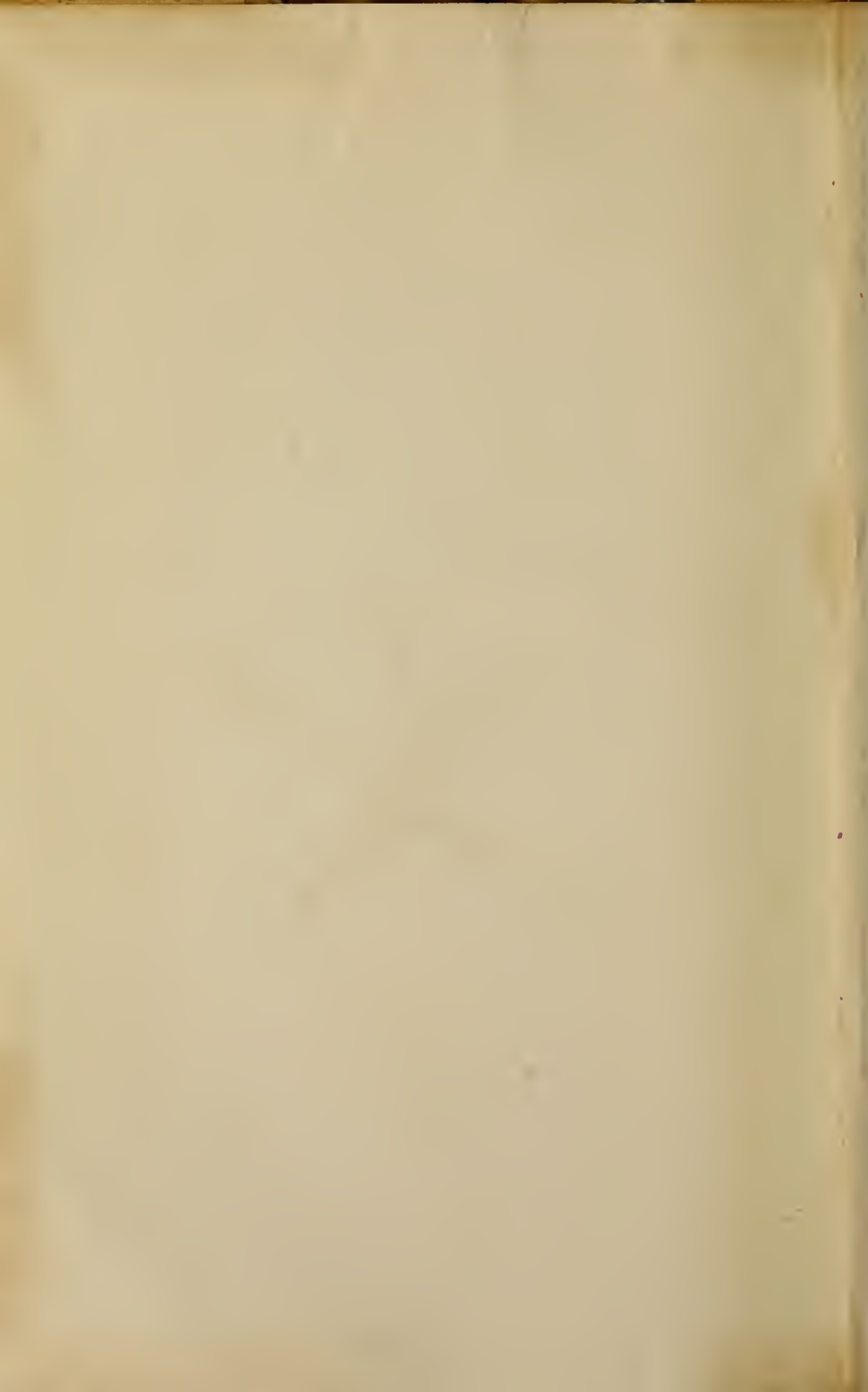


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THE
JOURNAL OF THE SENATE

DURING THE
EXTRA SESSION

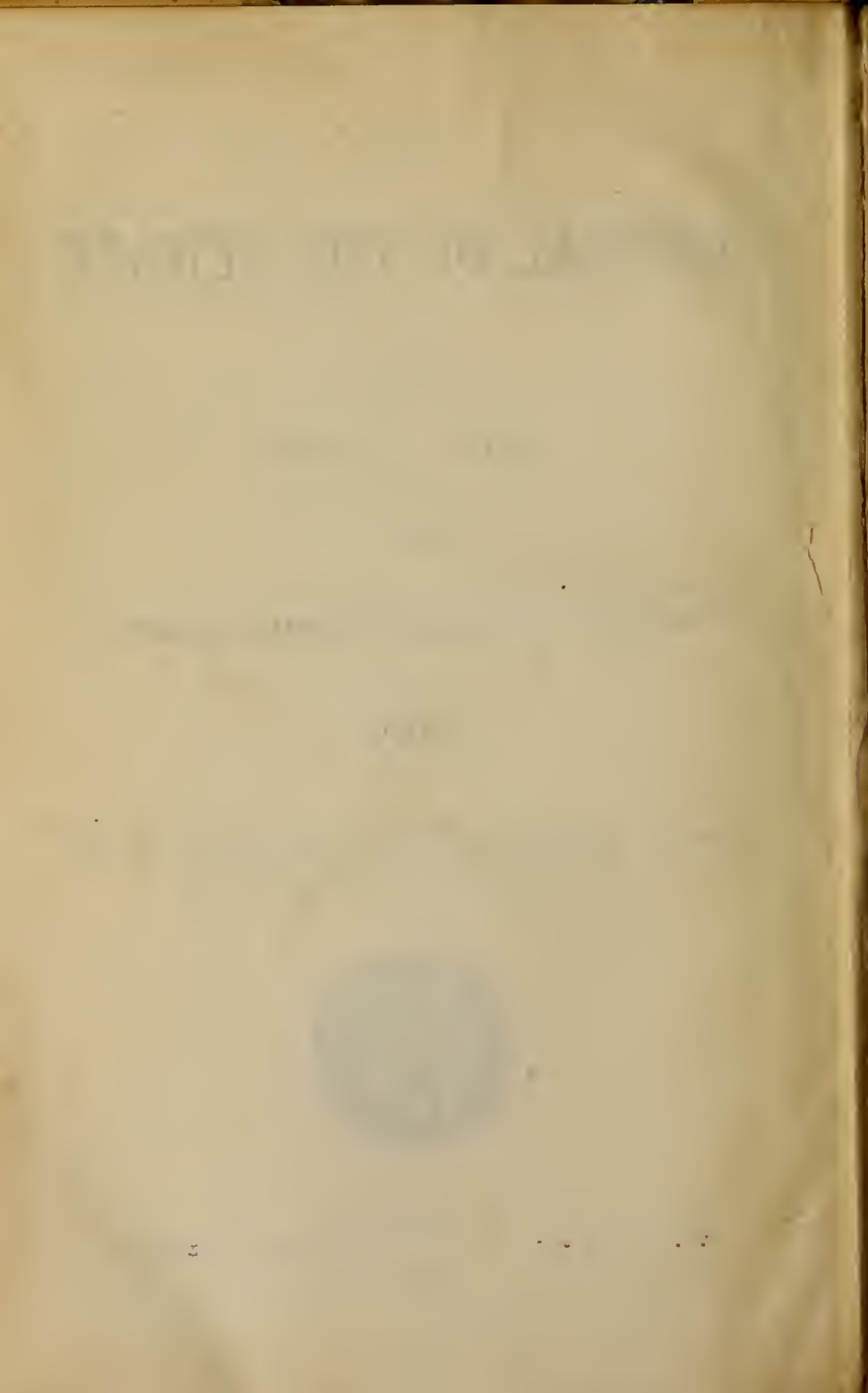
OF THE
THIRTY-SIXTH LEGISLATURE OF THE STATE OF CALIFORNIA,

1906.

Began on Saturday, June Second, and Ended on Tuesday,
June Twelfth, Nineteen Hundred and Six.



SACRAMENTO
W. W. SHANNON SUPERINTENDENT STATE PRINTING
1906



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CALIFORNIA LEGISLATURE SENATE.

THIRTY-SIXTH (EXTRA) SESSION.

IN SENATE.

SENATE CHAMBER,
Saturday, June 2, 1906. }

The Senate met at twelve o'clock m., in pursuance to the proclamation of His Excellency George C. Pardee, Governor of the State of California, dated June 1, 1906, convening the Legislature of the State of California in extraordinary session.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair, by virtue of Section 238, Article II, of the Political Code.

Pursuant to Section 237, of Article II, of the Political Code, Lewis A. Hilborn, Secretary of Senate; D. G. Holt, Minute Clerk, and J. Louis Martin, Sergeant-at-Arms, were present, and occupied their respective positions.

Lieutenant-Governor Alden Anderson now called the Senate to order. The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukeus, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Shortridge, Ward, Welch, and Wolfe—34.

Quorum present.

PRAYER.

Prayer was offered by Rev. J. T. Wills.

PROCLAMATION OF THE GOVERNOR.

The President directed the Secretary, Lewis A. Hilborn, to read the proclamation of the Governor convening the extra session of the Legislature.

Whereupon, the Secretary read the following proclamation:

PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

STATE OF CALIFORNIA,
EXECUTIVE DEPARTMENT. }

WHEREAS, By reason of great conflagration and public calamity extraordinary occasion has arisen and exists, requiring the Legislature of the State of California to convene:

NOW, THEREFORE, I, George C. Pardee, Governor of the State of California, by virtue of the power and authority in me vested by section nine of article five of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, in the State Capitol, on Saturday, the second day of June, Anno Domini one thousand nine hundred and

six, at twelve o'clock meridian of that day, for the purpose of enacting laws, and proposing constitutional amendments upon the following subjects, to wit:

1. To enact a law providing that where holidays have been declared by the Governor for more than thirty days, all legal or official acts or publications done or made on any such holiday or holidays shall be deemed and held as valid as if done, performed, or made on a day or days other than such holiday, or holidays;

2. To enact laws with reference to the restoration, reissuing, reproduction, substitution, evidence, or proof of court records, files, and papers lost, injured, or destroyed by conflagration or other public calamity, and also to enact legislation for the restoration, reissuance, reproduction, substitution, evidence, or proof of instruments, documents, and records, public or private, in like manner, lost, destroyed, or injured, affecting the ownership of or interest in property, or affecting any other right, public or private, evidenced by such documents, and for determining, establishing, and quieting title thereto or to the property or rights evidenced thereby; and providing for the disposition of cases in which the record or any part thereof has been lost or destroyed; also for establishing or quieting title to real or personal property;

3. To appropriate money and to make provision for the construction, erection, reconstruction, repair and restoration of buildings, structures, and property of the State of California damaged, injured, lost, or destroyed by conflagration or other public calamity, and also to provide for their protection against fire;

4. To appropriate money for the use of State institutions, courts, commissions, boards and officers, and the University of California and its affiliated colleges, and to provide for deficiencies in the funds of said State institutions, courts, commissions, boards and officers, and the University of California and its affiliated colleges;

5. To provide for the pay, expenses, subsistence, and transportation of the National Guard of California and the University Cadets during the months of April, May, and June, 1906;

6. To amend section twelve hundred and thirty-eight of the Code of Civil Procedure by adding thereto a new subdivision, which shall provide only that plants of title insurance and guaranty companies and of title abstract companies and all copies of public records used by such companies be included as one of the purposes for which the right of eminent domain may be exercised in behalf of a municipality;

7. To provide for the erection or leasing of a building at San Francisco for the use of the officers, institutions, organizations, commissions, boards, and departments of the State government maintaining headquarters in San Francisco and not otherwise provided for in State buildings, and for the purchase or leasing of the necessary land therefor;

8. To appropriate the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the publication, at the State Printing Office, of school textbooks to be supplied at cost to the children of indigent parents in the City and County of San Francisco;

9. To amend section sixteen hundred and thirty-six of the Political Code by adding another subdivision thereto, so as to provide for a substitute school census in cases where, by reason of conflagration or other public calamity, a school census has not been or may not be taken;

10. To add a new section to the Political Code, so as to provide a substitute for school records or registers lost, injured, or destroyed by conflagration or other public calamity;

11. To amend section five of the act of March 6, 1905, relating to the high school fund, so as to provide for apportionment of said fund in cases where one hundred and eighty days of school have not been held, or an average attendance of twenty pupils has not been maintained, by reason of conflagration or other public calamity;

12. To add a new section to the Political Code, so as to provide for the issuance of teachers' certificates where the originals have been lost or destroyed by conflagration or other public calamity;

13. To amend section sixteen hundred and seventeen of the Political Code by adding another subdivision thereto, so as to enable school trustees and boards of education to compromise litigation arising from the destruction of school buildings in course of erection on April 18, 1906;

14. To amend the Political Code by adding a new section thereto so as to require insurance companies to furnish the Insurance Commissioner, when requested by him, as of a date past or present, to be designated by the Commissioner, with complete data with reference to policies issued by them in the State of California, or any portion thereof, and to provide for penalties for failure or neglect so to do;

15. To extend to July 31, 1906, the time in which insurance companies organized in countries foreign to the United States shall file their annual statements for the year 1905, and to relieve said companies from penalties provided by section six hundred and eleven of the Political Code;

16. To amend subdivision eleventh of section sixteen hundred and seventy of the Political Code by adding an additional clause thereto, providing that bonds of high school districts may be issued and sold for the purposes of repairing, restoring, and rebuilding any high school building damaged, injured, or destroyed by conflagration or other public calamity;

17. To amend an act entitled "An act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this act," approved March 20, 1905, so as to increase the license tax on said corporations and the penalty for failure to pay the same, and to provide for the revival, under certain conditions, of corporations which have not paid said tax, and to make provision for settling the affairs of corporations where said license tax has not been paid; also, to refund to corporations license taxes heretofore illegally collected;

18. To amend section thirty-seven hundred and sixty-four of the Political Code, so as to extend the time of publication of the delinquent tax list of the fiscal year 1905-06 for a period not exceeding twenty days;

19. To amend section thirty-seven hundred and five of the Political Code so as to enable the State Board of Equalization, in the event of conflagration or other public calamity, to extend, not exceeding forty days, the time within which county or city and county officers shall perform official acts relating to revenue and taxation; and also extending, for the same period, the time in which the State Board of Equalization shall perform its official acts relating to revenue and taxation;

20. To amend section thirty-seven hundred and thirteen of the Political Code, fixing the rate of taxation and amount required for the several funds;

21. To enact laws authorizing the transfer to the United States of America of rights of way obtained by the State or by the Commissioner of Public Works for a diverting canal to protect the city of Stockton from flood and to make navigable its river approaches; and also authorizing the transfer to the United States of America of certain tide lands in San Diego bay for a quarantine station;

22. To amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure so as to extend the limitations prescribed therein not to exceed six months beyond the time now allowed in each of said sections, respectively; and also to amend section ten hundred and fifty-four of the Code of Civil Procedure so as to enable judges of the Superior Court to extend time in civil actions and proceedings for a period not exceeding ninety days;

23. To add a new section to the Code of Civil Procedure so as to enable justices' courts or justices of the peace to stay execution not exceeding ten days on any judgment rendered by such court; and also to amend section eight hundred and sixty-seven of the Code of Civil Procedure so as to provide that undertakings on attachments filed in justices' courts must be personally approved by the justice, and fixing the amount of such undertaking.

24. To amend section ten of the act creating a Board of Bank Commissioners, approved March 24, 1903, so as to authorize such board to assume control of and manage certain banks when by the board deemed necessary, for a period of six months, without commencing suit;

25. To amend an act entitled "An act to authorize cities to acquire and operate a joint system or systems of water supply," approved March 24, 1903, so as to include within the provisions of said act territory intervening between any two or more cities, cities and counties, towns or municipalities;

26. To amend the existing statutes and enactments relating to moneys collected by the Board of State Harbor Commissioners so as to increase the amount of money that may be retained and used by said board each month for urgent repairs;

27. To consider and enact laws extending the time for the performance or taking of any act or proceeding of a secular nature, appointed, or required, or limited by, or pursuant to law, or pursuant to any contract, to be performed or taken on any days in the month of June, 1906, prior to the last day of said month;

28. To consider and act upon propositions to amend section six hundred and twenty-five of the Code of Civil Procedure, and section six hundred and thirty of the Political Code;

29. To amend the laws concerning liens of mechanics, laborers and others upon real property for the sole purpose of providing that where legal holidays have been declared by the Governor for more than thirty days, the time within which said persons shall be required to file their claims of lien with the County Recorder shall be extended beyond the time when they would otherwise have been entitled to file the same;

30. To consider and propose an amendment to the Constitution of the State of California repealing section five of article thirteen thereof, relating to contracts for the payment of taxes or assessments on money loaned, or on mortgages, deeds of trust or other liens, so that the borrower may be free to make a contract for a net rate of interest;

31. To consider and propose an amendment, to be submitted at the next general election, to section eight of article eleven of the Constitution, so as to facilitate, for the period of two years, the amendment of the charter of the City and County of San Francisco and the charter of the city of San José, without ratification by the Legislature;

32. To consider and propose an amendment, to be submitted at the next general election, to article eleven of the Constitution of the State of California, by adding a new section thereto conferring, for a period of two years, certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards,

reservoirs and lands owned or hereafter to be acquired by it, and to the uses thereof; provided that said amendment shall contain a provision that no lands, nor any part thereof, now owned by said City and County of San Francisco, shall be sold or exchanged, unless such sale or exchange shall first be authorized by a majority of the votes of said city and county voting thereon, at a special election called for the purpose of such authorization; but this shall not be construed to prevent any exchange of lands acquired by said city and county after the adoption of this amendment by the Legislature for street purposes; and provided, that said amendment shall contain the further provision that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions of said amendment; and that said amendment shall contain the further provision that nothing in said amendment contained shall be construed as to confer upon the board of supervisors any power or authority, beyond that at this date possessed by it, to extend the term or time of existence, or conditions, of any franchise;

33. To consider and propose an amendment, to be submitted at the next general election, to article sixteen of the Constitution of the State of California so as to provide necessary funds, through State indebtedness and the issuance of bonds in excess of the amount which may be incurred under the provisions of section one of said article, for the purpose of rebuilding, repairing, replacing and restoring the buildings and property of the State destroyed or damaged by conflagration or other public calamity, and to provide funds for meeting any deficiency in the revenues of the State for the fiscal years commencing July 1, 1907, and ending June 30, 1912;

34. To consider and propose an amendment, to be submitted at the next general election, to section eighteen of article eleven of the Constitution of the State of California, so as to enable counties, cities and counties, towns, townships, boards of education and school districts to incur indebtedness and issue bonds to run for a period not exceeding one hundred years and to provide for interest and sinking funds in connection therewith;

35. To confirm such nominations as may be sent to the Senate.

I, WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereto the great seal of the State of California, at my office in the State Capitol, this first day of June, in the year of our Lord the one thousand nine hundred and sixth, and of the admission of the State of California the fifty-sixth.

GEORGE C. PARDEE,
Governor of the State of California.

ATTEST:

C. F. CURRY, Secretary of State.

RESOLUTIONS

The following resolutions were offered:

By Senator Leavitt:

Resolved, That the Senate do now organize and proceed to elect the officers and employees of the Senate for this extra session.

Resolution read and adopted.

By Senator Ralston:

Resolved, That Hon. E. I. Wolfe be and he is hereby elected President pro tem. of the Senate. That L. A. Hilborn be and he is hereby elected Secretary of the Senate. That J. Louis Martin be and he is hereby elected Sergeant-at-Arms of the Senate. That Rev. C. L. Miel be and he is hereby elected Chaplain of the Senate. That D. G. Holt be and he is hereby elected Minute Clerk of the Senate. That Miss Bessie Woodward be and she is hereby elected Postmistress of the Senate.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Lecke, Lukens, Lynch, Marker, Mattos, McKee, Mienter, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Strtridge, and Welch—29.

NOES—None.

Whereupon the President declared each person named in the foregoing resolution duly elected.

By Senator Wolfe:

Resolved, That the Standing Rules of the Senate at the thirty-sixth regular session be and the same are hereby adopted as the rules of the Senate at this special session, except that Paragraph VIII be amended to read as follows:

VIII. The standing committees of the thirty-sixth regular session shall be the standing committees of this extra session.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Huhn, Haskins, Irish, Keane, Leavitt, Leake, Lukens, Lynch, Markey, Mattos, McKee, Muenster, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Welch, and Wolfe—30.

NOES—None.

By Senator Belshaw:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly that the Senate is now duly organized and ready to proceed to the business of the State, having elected the following statutory officers:

President pro tem.....	Edward I. Wolfe.
Secretary of the Senate.....	L. A. Hilborn.
Sergeant-at-Arms.....	J. Louis Martin.
Minute Clerk.....	D. G. Holt.
Chaplain.....	C. L. Miel.
Postmistress.....	Miss B. Woodward.

Resolution read and adopted.

By Senator Shortridge:

Resolved, That a committee of three Senators be appointed by the President of the Senate to notify the Governor of the organization of the Senate, and that the Senate is now ready for business and to receive any communications he may have to make.

Resolution read and adopted.

COMMITTEE APPOINTED.

In compliance with the above resolution, the President of the Senate appointed Senators Shortridge, Pendleton, and Sanford as such committee.

REGULAR ORDER OF BUSINESS.

Senator Leavitt moved that the Senate do now proceed with the regular order of business.

Motion carried.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Belshaw: Senate Bill No. 1—An Act to add a new section to the Code of Civil Procedure to be known as Section 1187a, concerning the time of filing of claims of lien.

Bill read first time, and referred to Committee on Judiciary.

By Senator Lukens: Senate Bill No. 2—An Act validating acts done or performed on legal holidays.

Bill read first time, and referred to Committee on Judiciary.

By the San Francisco Delegation: Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the

power of courts to extend the time within which certain acts must be performed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

Bill read first time, and referred to Committee on Judiciary.

By Senator Muentert: Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Belshaw: Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read first time, and referred to Committee on Finance.

By Senator Lukens: Senate Bill No. 8—An Act appropriating one hundred and twenty-three thousand three hundred and ninety-two and thirty-one hundredths dollars (\$123,392.31) to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 9—An Act appropriating forty-one thousand four hundred and eighty dollars to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco belonging to and necessary for the maintenance of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 10—An Act appropriating twenty-seven thousand and thirty-nine and eighty-six one-hundredths (\$27,039.86) dollars to enable the Regents of the University of California to restore certain property damaged and destroyed upon the campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinic, college of pharmacy, medical,

medical "out-patient" section, stationery, anthropology, publications, library, Wilmerding School, and Lick Observatory, which said property is necessary for the maintenance of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 11—An Act appropriating eight thousand six hundred and forty-one and fifty one-hundredths (\$8,641.50) dollars to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 12—An Act appropriating \$8,600.00 to the Regents of the University of California to enable them to repair certain damage to the Dental, Medical, Western and Veterinary buildings of the Affiliated Colleges, which said buildings are the property of and necessary to the maintenance of the University of California.

Bill read first time, and referred to Committee on Finance.

By Senator Belshaw: Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco number 4422.

Bill read first time, and referred to Committee on Revenue and Taxation.

By the San Francisco Delegation: Senate Bill No. 14—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597*a*, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 15—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 16—An Act to add a new section to the Civil Code, to be known as Section 7*a*, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

By Senator Leavitt:

Resolved, That Senate Bills Nos. 1, 2, 3, 4, 14, and 15 be sent to the printer with rush order.

Resolution read and adopted.

REPORT OF COMMITTEE TO WAIT UPON GOVERNOR.

MR. PRESIDENT: Your committee of three, appointed to wait upon the Governor, respectfully beg leave to report that they have informed him that the Senate is organized and is ready for business.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read, and was ordered printed in the Journal:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, June 2, 1906.

To the Senate of the State of California:

I have the honor to transmit to your honorable body my message covering the points specified in the proclamation convening the Legislature in extraordinary session, which proclamation was by me issued on the 1st day of June, A. D. 1906.

GEO. C. PARDEE,
Governor of California.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 2, 1906.

To the Senate and Assembly,

GENTLEMEN: The recent catastrophes which befell the City of San Francisco, and the cities and towns in its vicinity, by which a vast number of our people were rendered homeless and so many hundred millions of dollars' worth of property were destroyed, have, I think, justified me in calling you together in extraordinary session to consider such matters of legislative relief as the exigencies of the occasion may seem to require to remedy the public conditions that have arisen since the early morning of April 18th.

The destruction of so much property and so many public and private records has, of course, caused great confusion in all matters pertaining to public and private business. Many evidences of debt, such as mortgages and notes, were either destroyed in the great fire in San Francisco, or, being kept in the vaults and safe-deposit boxes, were, for several weeks after the fire, unavailable for use. Many of the banks, with all their money, papers, and books, locked in their safes and vaults, which were buried under the fire-ruined buildings, were unable to meet their obligations, and, had demands been made upon them by any of their creditors, would have been, under a strict construction of the law, insolvent, although having in their vaults ample means to meet any call that, under even extraordinary circumstances, might have been made upon them. Many suits were also in progress in the courts, the records and papers of which were destroyed.

Under these circumstances, at the earnest and urgent request of many business men, the bankers, and the State Bank Commission, I determined to proclaim, and did proclaim, legal holidays from day to day, beginning on the 19th day of April. These holidays, I am assured by those in position to know, kept the State from suffering a financial disturbance which, added to our other misfortunes, threatened a widespread ruin. In order to relieve the situation from the possibility of a multiplicity of suits to foreclose mortgages, recover upon notes, and other matters of outlawry, I have assembled you in extraordinary session, in order that, if you so desire, you may consider and pass to-day, as emergency matters, legislation which will extend for six months the time of outlawry of notes, mortgages, book accounts, and the like; also legislation which will permit judges to extend time in certain legal proceedings; also legislation extending the time for printing the delinquent tax list; also legislation to require insurance companies to deliver to and upon demand of the Insurance Commissioner lists of policies of insurance held by them; also legislation which will validate the acts of public officers done and performed on legal holidays proclaimed by the Governor, when such acts are otherwise valid; also legislation as recommended under No. 27 of the call. If your honorable bodies shall see fit to pass to-day, as emergency matters, these legislative acts, it will prevent great business and legal confusion, for the reason that, unless passed before the legal holidays cease, their effects will be lost.

I also desire to call your attention to the fact that the holidays rendered necessary by our calamities will have lasted but forty-one days, while after the Baltimore fire, which occasioned much less damage, holidays were proclaimed for seventy-four days.

Hardly had the fire in San Francisco ceased burning before numerous demands were made upon me to convene the Legislature in extraordinary session. It seemed to me, however, that, until the damage done had been itemized and scheduled, it would be utterly impossible to map out what legislative remedies would be necessary.

For ten days or two weeks after the fire everybody was so busy with relieving the existing distress and destitution that no calm thought was taken as to the proposed extra session. Then a committee on extra session, composed of some of the leading attorneys and business men of the city, together with representatives from Santa Rosa and San José, was appointed by the Mayor of San Francisco. This committee working diligently, intelligently, and faithfully, night and day, for more than three weeks, completed its work on Monday, May 28th, and transmitted

to me the results of its labors in the form of a long and comprehensive report, making certain recommendations upon which, with but few changes, is based the call upon which you are to-day assembled in extraordinary session. The fact that such a committee, the members of which were in close touch with the situation, required nearly four weeks of close and unremitting labor to ascertain what legislation was necessary—this fact, I think, precludes any debate as to the necessity of postponing the convening of this extraordinary session until this date.

It was the desire of the San Francisco committee, as it was my own, to incorporate in the call for this extraordinary legislative session only those things rendered necessary or desirable by the catastrophe of April 18th and the following few days. Following this desire, the San Francisco committee declined, with one or two exceptions, to incorporate in their report to me anything but such measures as might be called "calamity measures." And, believing that the San Francisco committee's work was well and intelligently done, I have followed, with but few changes, the recommendations of the committee as regards the matters which should be incorporated in the call for the extraordinary session.

The subjects recommended for your consideration number thirty odd. Of these, five or more are matters which, if they meet with your approval, will require the submission of constitutional amendments to the people at the general election to be held next November. All the recommendations submitted to you for consideration have been, as you will see, very carefully considered and surrounded with such safeguards as will, so far as possible, confine them entirely to so-called "calamity measures." Most, if not all of the subjects submitted to you are self-explanatory, and the reasons for their submission to you appear upon their face, and therefore require no explanation here.

I desire, however, to call your attention to subject No. 21 of the call, which recommends legislation to provide for the protection of the City of Stockton from flood, etc. If you will remember, the Legislature of 1903 appropriated the sum of sixty thousand dollars to be used, in connection with an appropriation by the United States, to further the construction of a canal to relieve the City of Stockton from danger of flood and to keep navigable its river approaches. The rights of way for this canal have been, as provided by law, purchased by the State, and the work could now proceed were it not that the United States refuses to proceed therewith unless the title to the rights of way be vested in itself. It is found, however, on investigation, that there is no power now granted by law whereby this title may be transferred to the United States. The recommendation in the call is, therefore, made to you in order that this transfer of title may be made and the work proceed. The coming winter will bring new dangers of overflow to Stockton, and, probably, as has usually happened, the channel leading to the city will be again filled up. Therefore, the San Francisco committee, looking upon the matter as an emergency, if not a "calamity," matter, resolved, after careful consideration, to recommend it to me as worthy of submission to you for consideration in extraordinary session; and, agreeing with the committee, I have so submitted it to you.

Recommendation No. 21 also relates to a transfer of tide lands in San Diego Bay for a quarantine station, which proposition was presented to the San Francisco committee by Senator M. L. Ward; and, upon his explanation, the committee decided to recommend it to me for incorporation in the call. This I have done, it appearing that, as in the case of the Stockton matter, it is of sufficient emergency importance to be presented to you for your consideration at this time.

It being represented to the San Francisco committee that Los Angeles required a new and ample water supply, which San Francisco's fate rendered more apparent, the committee decided, after listening to a committee from Los Angeles, to recommend to me such amendments to the law of 1903 as would permit Los Angeles and the surrounding unincorporated country, together with cities and towns in the vicinity of Los Angeles, to unite and issue bonds in a sum sufficient to provide that water supply. Therefore, the San Francisco committee recommended to me that I incorporate in the call, and I did so incorporate therein, a proposition that you amend the law of 1903 relating to water supplies for cities so that the City of Los Angeles and the municipalities surrounding it may be able to gain the water supply which they assured the committee and myself was so necessary for their future prosperity.

I desire, also, to call your attention to the intelligent and excellent service rendered by the National Guard, who, to the number of three thousand, were concentrated in and about San Francisco. Many of the State troops residing in San Francisco lost all they had in the world, and, their fathers, mothers, wives, sisters, children homeless and in danger of starvation, did their duty as loyal American citizens ever have or will. One body of the State troops was under arms and on the streets of San Francisco, aiding the civil authorities in preserving order and saving life and property, at eight o'clock on the morning of April 18th. And by noon of that day they had organized wagon trains to take food supplies from threatened stores and warehouses, thus providing for the first relief that was given to the thousands of homeless people who were seeking safety in the public parks. And all through the days of conflagration and those of deep distress which followed, the members of California's National Guard, officers and men, rescued the living, ministered to

the sick and injured, fed the hungry and, giving up their own blankets and overcoats to shivering women and children, patrolled their beats ignoring their own discomforts.

Officers and men, the National Guard of California did their full duty during the time that they were in active service in San Francisco and vicinity, earning by their soldierly conduct the admiration and commendation of thinking civilians and trained officers of the Regular Army of the United States there also on duty.

The expenses incurred by calling into active service the National Guard must be met by legislative appropriation, either by appropriation at this extraordinary session, the money to become available on July 1, 1907, or by allowing the matter to lie over until the next regular session of the Legislature. My recommendation is that so much of the expenses as can be accurately ascertained at this time shall be provided for at this session, to be made available on July 1, 1907, leaving the remainder to be ascertained and provided for at the next regular legislative session.

In this regard I wish to call your attention to the fact that the banks of Sacramento, San José, Oakland, and Fresno have advanced large sums of money with which to pay the members of the National Guard. I am also informed that the banks of San Francisco, Los Angeles, San Diego, and other cities express a willingness to advance other sums for this purpose. The National Guardsmen, therefore, will receive their pay, or the greater part thereof, without any long wait.

The thanks of the State are due to the banks which have thus advanced the pay of the officers and men of the State troops. And this willingness of the banks to advance this money is another proof, if any were needed, that the services of the National Guard are recognized by the people of this State as of great value to the body politic.

As you, perhaps, already know, I went to Oakland on the evening of April 18th, and, finding communication with San Francisco by wire entirely cut off (a state of affairs which existed for nearly a week), took up my quarters, by invitation of Mayor Mott, in the City Hall of Oakland, and from there opened up communication, by messenger, with Mayor Schmitz, of San Francisco; and, by means of the telegraph, informed the country at large of San Francisco's desperate condition. The response was almost instantaneous, and from all parts of this State and Nation supplies, shelter, bedding, money, and messages of sympathy began to pour in. So prompt was the reply to appeals for aid that, within thirty-six hours after the beginning of the fire, steamboat and train loads of food, bedding, tents, and other supplies were beginning to arrive in the burning city, and all fear of famine was thus early removed.

Oregon, our next neighbor on the north, telegraphed me early, through Governor Chamberlain and Mayor Lane of Portland, that a full trainload of supplies would leave for San Francisco that night. They also sent us physicians and nurses, who spent ten days and more ministering to the sick and injured in the burned metropolis and its vicinity. Washington, through Governor Mead, and the Mayors of Seattle, Spokane, and other cities and towns, also wired me that the people of that State were equally prompt in responding to our cry of distress. Governor Sparks of Nevada and the Mayor of Reno also sent us immediate and copious help; while Governor Cutler of Utah and the Mayors of Salt Lake City and Ogden were equally prompt. In fact, nearly every State and Territory in the Union, as well as the officials of foreign countries, through their Governors and Mayors, showered supplies by the trainload upon us and sent us money by telegraph, mail and express, and deluged us with messages of sympathy and condolence and inquiries, which were quickly responded to, as to what were our most pressing needs.

The quick responses to our cry of distress from not only the people of our State and those of our close neighbors, but also from the other States and Territories, as well as from the governments of foreign countries, gave evidence that, even as we have often sent aid to other peoples whom great calamities had rendered destitute and helpless, so all the world looked with great sympathy upon stricken San Francisco and neighbor-cities, and were eager to render them what help they could. Our obligations to those who so quickly and so freely sent us aid and comfort are very great indeed. Words cannot express the feelings of gratitude we feel toward them. And, should occasion require (which God forbid), it will be our pleasure to return to them in kind the aid they freely and generously tendered us.

I also desire to express my thanks for, and appreciation of, the prompt and efficient service rendered our stricken cities and their people by Maj.-Gen. Greely, U. S. A., commanding the Division of the Pacific; by Brig.-Gen. Frederick Funston, U. S. A., commanding the Department of San Francisco, and the officers and men under their commands. By permission of the President and the Secretary of War, the Federal troops were sent into the city and gave most valuable aid towards preserving order and taking care of the people who, driven from their homes by the fire, were forced to encamp in the public parks. Federal stores, tentage, rations, medical supplies, and field and post hospitals were quickly and in plentiful supply given to our people; and the trained services of the officers of the army were freely given to help us in every possible way.

Maj.-Gen. Greely being out of the State on the 18th of April, the command of the Federal forces devolved upon Brig.-Gen. Funston, who, waiving all questions as to the niceties of the law and the possibilities of a clash of National and State

authorities, instantly put his forces in motion and gave the municipal and State authorities most valuable aid and assistance.

Maj.-Gen. Greely, hearing of San Francisco's great disaster, instantly turned himself toward California, and upon arriving in San Francisco on April 22d took the command of the Federal troops and continued them in the good work already begun by them. Under his skilled direction order was brought out of chaos, the sanitation of the camps was taken care of, food supplies were given out with ever-increasing system, and the civil authorities were aided in every way.

The sympathies and offers of any possible assistance were quickly sent by wire by the President of the United States and the Secretary of War. Had it not been for their prompt assistance our distress and destitution would have been much greater.

The Senate and House of Representatives of the National Congress came quickly and generously to our aid, and appropriated two and a half millions of dollars to relieve our distressed and destitute. To our Senators and Representatives in Congress we are under many and lasting obligations; and Congress is worthy of our heartfelt thanks.

To Mayor Schmitz and the corps of able citizens who so freely volunteered their services to aid him and his people much praise is due for the promptness and clear-headedness with which they performed their onerous duties.

Dr. E. T. Devine, head of the Red Cross, came as quickly to our aid as steam could carry him from the East. His services in arranging and systematizing relief work have been most valuable and are gratefully acknowledged. The work that he and his efficient corps of assistants of the Red Cross inaugurated and are still carrying on in the City of San Francisco saved many thousands of our people from still greater distress and destitution.

Other towns than San Francisco suffered greatly. Santa Rosa, San José, Redwood City, Palo Alto and other localities were visited with partial destruction. But, compared with the greater disaster, so far as regards the total destruction of property, in San Francisco, their losses have been, perhaps, overshadowed. Their needs should not, however, be forgotten.

Oakland and other cities surrounding the bay, with which communication was both easy and expeditious, received in the first few days from San Francisco many thousand refugees, to whom they opened up their homes, and of whom they have been and still are taking care.

The people of San Francisco demonstrated their wonderful self-control under the most trying conditions. Many thousands of them had lost all they had in the world and, pursued by the fire, were seeking safety for their very lives. Yet there was no wild confusion, no wringing of hands, no hysterical tears, no giving way to transports of grief and terror. And to-day San Francisco, with half her territory covered with the ashes and débris of what were once her homes and great buildings, is not daunted by the magnitude of the disaster which fell upon her with such crushing force. Her people, sturdy, brave and determined, have already begun to retrieve their shattered fortunes. The metropolis of California will soon again regain, as she has twice before, the things the fire has swept away.

The earthquake, severe and destructive as it was, did not do, as has been so wildly heralded, much damage, in comparison with the following fire, to San Francisco and her people. But few buildings were shattered or thrown down by the shock. The fires which followed on the earthquake's heels quickly became uncontrollable, and, because of the broken water mains, in three days and two nights of terror and distress, laid low three-quarters of San Francisco. It was the fire, and not the earthquake, that laid half of San Francisco low.

Gentlemen of the Legislature, upon you devolves the solemn and necessary duty of giving such aid and comfort to those of our people who have suffered so heavily in the great disaster as reasonably lie in your power. That that aid and comfort should be quickly given goes without saying; for the needs are great and pressing. In common with the people of the State, I wish you all success in your labors of the coming days of your session, and hope that harmony may mark all your deliberations, to the end that your labors may be quickly performed and brought to a speedy and successful end.

Very respectfully, your obedient servant.

GEO. C. PARDEE,
Governor of California.

RECESS.

At twelve o'clock and fifty-five minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until four o'clock P. M. of this day.

RECONVENED.

At four o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Leavitt:

Resolved, That the following named persons be and they are hereby elected to the statutory positions set opposite their respective names:

Donn J. Shields.....	Assistant at the Desk.
Charles B. Mahone.....	Assistant Minute Clerk.
H. G. Wright.....	Journal Clerk.
Robert Savage.....	Assistant Journal Clerk.
W. H. Orrick.....	Enrolling and Engrossing Clerk.
Frank Kenney.....	Assistant Enrolling and Engrossing Clerk.
Charles Canfield.....	History Clerk.
Wm. McPherson.....	Bill Filer.
Charles Cockefair.....	Bill Filer.
Herbert L. Hahn.....	Messenger to the State Printer.
C. H. Ledgett.....	Assistant Sergeant-at-Arms.
John E. Reynolds.....	Assistant Sergeant-at-Arms.
Benjamin Gray.....	Assistant Sergeant-at-Arms.
W. W. Martin.....	Assistant Sergeant-at-Arms.
P. H. Elfendahl.....	Bill Clerk.
Edward McCabe.....	Gatekeeper.
Wm. Gafney.....	Gatekeeper.
Con Butler.....	Gatekeeper.
W. J. O'Connell.....	Watchman.
Mrs. M. I. Lajennesse.....	Stenographer.
Miss A. Kelly.....	Stenographer.
Miss Q. Derry.....	Stenographer.
Edna Simpson.....	Stenographer.
Rowan Hardin.....	Stenographer.
Miss Theodora McKissick.....	Stenographer for Finance Committee.
A. A. Cunningham.....	Stenographer for Judiciary Committee.
Miss C. Johnson.....	Assistant Postmistress.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.
 NOES—None.

Whereupon the President declared each person named in the foregoing resolution duly elected.

Also:

Resolved, That the following-named persons be, and they are hereby, elected to the positions and at the per diems set opposite their respective names:

Miss A. Mix.....	Committee Clerk, at \$4.00
Miss R. Schmidt.....	Committee Clerk, at \$4.00
Miss E. F. Leeke.....	Committee Clerk, at \$4.00
Miss Dora Hall.....	Committee Clerk, at \$4.00
M. Welch.....	Committee Clerk, at \$4.00
Miss Irma McCarthy.....	Committee Clerk, at \$4.00
Miss M. Hirsch.....	Committee Clerk, at \$4.00
Miss Ella Thompson.....	Stenographer, at \$5.00
Miss Lillian Flynn.....	Stenographer, at \$5.00

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.
 NOES—None.

Whereupon the President declared each person named in the foregoing resolution duly elected.

APPOINTMENTS BY THE SECRETARY OF THE SENATE.

To the Officers and Members of the Senate of the State of California:

I have this day appointed to the position of Assistant Secretary of the Senate the following named persons: W. H. Kramer and J. W. Kavanagh, and respectfully ask the consent of the Senate thereto.

LEWIS A. HILBORN,
Secretary of Senate.

On motion of Senator Leavitt, the Senate consented to said appointments.

APPOINTMENTS BY SERGEANT-AT-ARMS.

To the Officers and Members of the Senate of the State of California:

I have this day appointed J. G. McCall to the position of Bookkeeper for the Sergeant-at-Arms, and respectfully ask the consent of the Senate thereto.

J. LOUIS MARTIN,
Sergeant-at-Arms.

On motion of Senator Leavitt, the Senate consented to said appointment.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By Committee on Finance: Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time, and ordered on file without reference to committee.

By Senator Belshaw: Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time, and referred to Committee on Contingent Expenses.

By San Francisco Delegation: Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Senate Bill No. 20—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 21—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 22—An Act to add a new section to the Code of Civil Procedure to be known as Section 1045a, relating to the restora-

tion of court records which have been or shall hereafter be lost or destroyed or injured by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 23—An Act to add a new section to the Civil Code, to be known as Section 7*a*, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 24—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 25—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 26—An Act to restore records or titles to real property which have been or may hereafter be lost, injured or destroyed by conflagration or other public calamity, and to quiet the title to the owners of such real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 28—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 29—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 30—An Act to amend the Code of Civil Procedure by adding four new sections thereto, to be known as Sections 1045*a*, 1045*b*, 1045*c*, and 1045*d*, relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 31—An Act to furnish, grant, convey, and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and ex-

penses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Bill read first time, and referred to Committee on Commerce and Navigation.

Also: Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 33—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers, approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners, and proceedings in connection therewith.

Bill read first time, and referred to Committee on Banking.

Also: Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read first time, and referred to Committee on Corporations.

Also: Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 39—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1952, relating to evidence.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read first time, and referred to Committee on Judiciary.

By Senator Sanford: Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Ward: Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Rush: Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Rambo: Senate Bill No. 44—An Act amending Subdivision Eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds.

Bill read first time, and referred to Committee on Education.

By Senator Belshaw: Senate Bill No. 45—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1187a, concerning the time of filing of claims of lien.

Bill read first time, and referred to Committee on Judiciary.

By Senator McKee: Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By the San Francisco Delegation: Senate Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Referred to Committee on Education.

Also: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered 20, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco, relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts

for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

Referred to Committee on Finance.

RUSH ORDER TO PRINTER.

On motion of Senator Belshaw, the Secretary was directed to issue a rush order for the printing of Senate Bill No. 45.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following resolution:

Resolved, That the Chief Clerk be, and is hereby, instructed to inform the Senate that the Assembly is in session pursuant to the proclamation of His Excellency, the Governor, dated June 1, 1906, and ready for the transaction of legislative business with the following officers:

Speaker pro tem.....	T. E. Atkinson, Acting Speaker.
Chief Clerk.....	Clio Lloyd.
Sergeant-at-Arms.....	John T. Stafford.
Assistant Clerks,	
Chas. A. Thompson, T. G. Walker, Edward Hinkle, Ed Smith.	
Minute Clerk.....	J. Steppacher.
File Clerk.....	W. C. Guirey.
Assistant Minute Clerk.....	Neil T. Duffy.
Assistant Sergeant-at-Arms.....	Ben Cohn.
Journal Clerk.....	R. L. Dempsey.
Assistant Journal Clerk.....	R. G. Stitt.
Bookkeeper to Sergeant-at-Arms.....	C. W. Haub.
Engrossing and Enrolling Clerks.....	C. S. MacMullan, D. R. Dunbar.
Postmistress.....	Mrs. Pauline Smith.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

RECESS.

At four o'clock and thirty-five minutes P. M., on motion of Senator Wolfe, the President declared the Senate at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

APPOINTMENTS BY THE PRESIDENT.

The President announced that by the authority vested in him, he had appointed the following as porters and pages:

Porters—B. F. Maxwell, George Turner, J. W. Gudgell.

Page to the President—J. Maloney.

Pages—Harold Dougherty, Eugene Kelly, Algy Schleuer, W. Burbeck.

RECESS.

At eight o'clock and ten minutes P. M., on motion of Senator Belshaw, the President declared the Senate at recess for five minutes.

RECONVENED.

At eight o'clock and fifteen minutes P. M., the Senate reconvened. Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 1 read first time, and, on motion of Senator Lukens, was ordered on file without reference to committee.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Leavitt:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Matto, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—33.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

During second reading of the bill the following amendment was offered by Senator Leavitt:

On page 2, Section 1, line 23, strike out the words "provided, that in any action between the company and the insured such lists and copies of forms shall not be evidence against the company."

After the word "policy" insert a period.

Amendment read and adopted.

Bill read second time, and ordered to print and third reading.

MESSAGE FROM THE ASSEMBLY.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

*MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list. Also: Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 3 read first time and, on motion of Senator Lukens, was ordered on file without reference to committee.

Assembly Bill No. 4 read first time, and referred to Committee on Judiciary.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Lukens:

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.
NOES—None.

CASE OF URGENCY.

Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 3 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—32.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 2, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 1—An Act to add a new section to the Code of Civil Procedure to be known as Section 1187a, concerning the time of filing of claims of lien—have had the same under consideration, and recommend that the committee substitute do pass.

Also: Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

Also: Senate Bill No. 14—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Respectfully reports the same back, with the recommendation that they do pass. Also: Senate Bill No. 15—An Act to amend Section 3764 of the Political Code relating to the publication of the delinquent list.

Also: Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Respectfully reports the same back with the recommendation that they do pass as amended.

LUKENS, Chairman.

Senate Bills Nos. 1, 4, 14, 15, and 3 ordered on file for second reading.

BILL RECALLED FROM THE ASSEMBLY.

On motion of Senator Leavitt, Assembly Bill No. 3 was ordered recalled from the Assembly, for purpose of amendment to the title.

Assembly Bill No. 3, having been recalled from the Assembly, the following amendment was offered by Senator Leavitt:

Amend title by inserting in line 3 of the title, after the word "delinquent," the word "tax."

Bill ordered to print.

RESOLUTION—(OUT OF ORDER).

By Senator Lukens:

Resolved, That Senate Bills Nos. 1, 4, and 3 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, Muentner, Nelson, Pendleton, Ralston, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

CASES OF URGENCY.

Senate Bill No. 1—An Act to add a new section to the Code of Civil Procedure to be known as Section 1187a, concerning the time of filing of claims of lien.

During second reading of bill the following substitute was submitted by committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 1.

An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Any act or proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month, may be performed or taken on any day not later than the tenth day of July A. D. 1906, with the same effect as if it had

been performed or taken on the day or within the time wherein such act or proceeding was so appointed, required or limited to be performed. The provisions of this act shall not apply however to the summary proceedings provided for in Sections 1159 to 1179 (both inclusive) of the Code of Civil Procedure, nor to criminal actions.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 4 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Lecke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—31.

NOES—None.

Title read.

Whereupon the question was put by the President, "Are there any amendments to the bill?"

The following amendment to the title was offered by Senator Simpson:

Strike out all of title and insert the following: "An Act to amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure, relating to the time of commencing civil actions."

Amendment lost.

Title approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

On motion of Senator Leavitt, Senate Bill No. 3 was re-referred to Committee on Judiciary for purpose of amendment.

RECESS.

At ten o'clock and ten minutes P. M., the President declared the Senate at recess until ten o'clock and thirty minutes P. M. of this day.

RECONVENED.

At ten o'clock and thirty minutes P. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By San Francisco Delegation: Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 49—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 50—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 51—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 52—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 53—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issued out of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 54—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read first time, and referred to Committee on Judiciary.

Also: Senate Bill No. 55—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers, approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Bill read first time, and referred to Committee on Banks and Banking.

Also: Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the waterfront of the City and County of San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 58—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read first time, and referred to Committee on Education.

Also: Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 60—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions and officers and directing the disposition of the same," approved March 17, 1899.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Bill read first time, and referred to Committee on Commerce and Navigation.

By Senator Shortridge: Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By the San Francisco Delegation: Senate Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Referred to Committee on Education.

RECESS.

At ten o'clock and forty minutes P. M., the President declared the Senate at recess until ten o'clock and forty-five minutes P. M., of this day.

RECONVENED.

At ten o'clock and forty-five minutes P. M. the Senate reconvened.

Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions.

Also: Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 48 read first time, and referred to Committee on Judiciary.

Senate Bill No. 4 ordered to enrollment.

Assembly Bill No. 53 read first time, and, on motion of Senator Belshaw, ordered on file without reference to committee.

RESOLUTION—(OUT OF ORDER).

By Senator Belshaw:

Resolved, That Assembly Bill No. 53 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 53 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Lukens, Lynch, Mattos, McKee, Muentner, Nelson, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Bill read third time.

Senator Leavitt moved to refer to Senator Bauer, as a special committee of one, to amend as follows:

On page 1, Section 1, lines 9, 10 and 11, strike out the words "however to the summary proceedings provided for in Sections 1159 to 1179 (both inclusive) of the Code of Civil Procedure, nor."

The motion being on the question to refer to a special committee of one.

The roll was called, and the motion carried by the following vote:

AYES—Senators Anderson, Bauer, Carter, Greenwell, Haskins, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Nelson, Sanford, Savage, Shortridge, Simpson, and Wolfe—17.

NOES—Senators Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Lukens, Muentner, Pendleton, Rowell, and Ward—13.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, June 2, 1906.

MR. PRESIDENT: Your special committee of one, to whom was referred Committee Substitute for Senate Bill No. 1, with instructions to amend, respectfully reports the same back, amended as per instructions.

BAUER, Committee.

Bill ordered to print and engrossment

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

During second reading of bill the following amendment was submitted by committee:

Amend Senate Bill No. 3 by striking out the whole of Section 1 of the printed bill, and inserting in lieu thereof the following:

"SECTION 1. Section one thousand and fifty-four of the Code of Civil Procedure is hereby amended to read as follows:

"1054. When an act to be done, as provided in this code, relates to the pleadings in the action, or the undertakings to be filed, or the justifications of sureties, or the preparation of statements, or of bills of exceptions, or of amendments thereto, or to the service of notices other than of appeal, the time allowed by this code may be extended, upon good cause shown, by the judge of the superior court in and for the county in which the action is pending, or by the judge who presided at the trial of said action; but such extension shall not exceed thirty days, without the consent of the adverse party; except that when it appears to the judge to whom said application is made, that the attorney of record for the party applying for said extension is actually engaged in attendance upon a session of the legislature of this state, as a member thereof; in which case it shall be the duty of said judge to extend said time until said session of the legislature adjourns, and thirty days thereafter; *provided, however,* that from and after the passage of this act to and including the twenty-eighth day of February, nineteen hundred and seven, the judge shall have power to extend the foregoing time as to any matter enumerated in this section for not exceeding ninety days, and shall also have power during said period to extend by order, for not exceeding ninety days, the time for filing and serving notices of appeal and for the performance of any act in any action or special proceeding required by this code to be done within a specified time."

Amendment adopted.

The following amendment was offered by Senator Lukens:

On page 2, after Section 1, line 28 of the printed bill, insert the following: "Section 2. This Act shall take effect immediately."

Amendment adopted.

Bill read second time, and ordered to print and engrossment.

PRESIDENT ANDERSON IN THE CHAIR.

At eleven o'clock and forty-five minutes P. M., Hon. Alden Anderson, President of the Senate, in the chair,

ADJOURNMENT.

At eleven o'clock and forty-six minutes P. M., Senator Carter moved that the Senate do now adjourn until June 3, 1906, at eleven o'clock A. M.
Motion carried.

Whereupon the President declared the Senate adjourned until June 3, 1906, at eleven o'clock A. M.

IN SENATE.

SENATE CHAMBER,

Sunday, June 3, 1906. }

Pursuant to adjournment, the Senate met at eleven o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muenster, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—31.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, June 2, 1906, the further reading was dispensed with, on motion of Senator Mattos.

INTRODUCTION AND FIRST READING OF BILLS.

The following bills were introduced:

By Senator Belshaw: Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks, and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time, and referred to Committee on Contingent Expenses.

By Senator Wolfe: Senate Bill No. 64—An Act to provide for the establishment of land titles in ease of the loss or destruction of records.

Bill read first time, and referred to Committee on Judiciary.

By Senator Simpson: Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read first time, and referred to Committee on Finance.

By Senator Ward: Senate Bill No. 66—An Act declaring that no contract entered into during holidays from the 19th day of April, 1906, to the 3rd day of June, 1906, shall be held invalid by reason of being entered into on any of such holidays nor by reason of having been entered into prematurely on account of such holidays and ratifying and confirming all such contracts entered into in which one of the parties to the same is a public officer.

Bill read first time, and referred to Committee on Judiciary.

SENATE CONSTITUTIONAL AMENDMENTS.

By Senator Pendleton: Senate Constitutional Amendment No. 7—Proposed amendment relative to amending the Constitution of the State of California, repealing Sections 4 and 5 of Article XIII, and by

amending Section 1 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Revenue and Taxation.

By Senator Ralston: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Revenue and Taxation.

By Senator Lukens: Senate Constitutional Amendment No. 9—Proposed amendment to Article IV, Section 31 of the Constitution of the State of California, relating to the power of the Legislature to make or authorize the making of any gift of any public money or thing of value to any individual in this or other corporation.

Referred to Committee on Judiciary.

Also: Senate Constitutional Amendment No. 10—Relative to proposed amendment to Article XVI of the Constitution, relative to State indebtedness.

Referred to Committee on Judiciary.

RUSH ORDER TO PRINTER.

On motion of Senator Belshaw, the Secretary was directed to issue a rush order for the printing of Senate Bills Nos. 63 and 64.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Read third time, under urgency resolution adopted on previous day.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 1 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Lukens, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Shortridge, Ward, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Read third time, under urgency resolution adopted on previous day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 3 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee,

Muenter, Nelson, Pendleton, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—28.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Belshaw:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Rambo, Rowell, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—29.
 NOES—None.

CASE OF URGENCY.

Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 17 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—31.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Read third time under urgency resolution adopted on previous day.
 The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 1 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—30.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At eleven o'clock and thirty minutes A. M., on motion of Senator Leavitt, the President declared the Senate at recess until one o'clock P. M. of this day.

RECONVENED.

At one o'clock P. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MESSAGES FROM THE ASSEMBLY—(OUT OF ORDER).

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Also: Concurred in Senate amendments to Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Also: Concurred in Senate amendments to Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Also: Passed, as case of urgency, Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Also: Passed, as a case of urgency, Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Committee Substitute for Senate Bill No. 1, Senate Bill No. 3, and Senate Bill No. 17 ordered to enrollment.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENGROSSMENT AND ENROLLMENT.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Engrossment and Enrollment have examined the following Senate Bill:

Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

And report that the same has been correctly enrolled; and presented the same to the Governor on this third day of June, 1906, at twelve o'clock and fifteen minutes P. M.

KEANE, Chairman.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses beg leave to report as follows:

We find the following to be entitled to the sums set opposite their respective names:

Dist.	Miles	Amt.
2. Clifford Coggins	514	\$51 40
3. John B. Irish	238	23 80
4. J. B. Sanford	300	30 00
5. B. F. Rush	82	8 20
6. Marshall Diggs	2	20
7. James A. McKee	2	20

Dist.	Miles	Amt.
9. C. M. Belshaw	192	\$19 20
10. William C. Ralston	185	18 50
11. A. G. Muentner	96	9 60
12. J. B. Curtin	250	25 00
13. John G. Mattos, Jr.	218	21 80
14. M. W. Simpson	172	17 20
15. G. R. Lukens	168	16 80
16. Frank W. Leavitt	168	16 80
17. Frank A. Markey	180	18 00
19. Richard J. Welch	180	18 00
21. Edward I. Wolfe	180	18 00
22. Hamilton A. Bauer	180	18 00
23. Geo. B. Keane	180	18 00
24. Philip J. Haskins	180	18 00
25. John H. Nelson	180	18 00
26. Chester Rowell	338	33 80
28. Charles M. Shortridge	256	25 60
29. Samuel H. Rambo	392	39 20
30. Wm. T. Leeke	1,034	103 40
31. Henry W. Lynch	686	68 60
33. C. B. Greenwell	920	92 00
34. William H. Savage	1,006	100 60
35. Howard A. Broughton	960	96 00
36. Benjamin W. Hahn	914	91 40
37. Henry E. Carter	894	89 40
38. C. W. Pendleton	894	89 40
39. John N. Anderson	962	96 20
40. M. L. Ward	1,164	116 40
Lieutenant Governor Alden Anderson	2	20
		<hr/>
		\$1,426 90
Lewis A. Hilborn, Secretary	180	18 00
D. G. Holt, Minute Clerk	944	94 40
J. L. Martin, Sergeant-at-Arms	168	16 80

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrants upon the proper fund in favor of the foregoing named Senators and Lieutenant-Governor for the amount set opposite each of their names, and upon the Contingent Fund for Lewis A. Hilborn, Secretary; D. G. Holt, Minute Clerk, and J. L. Martin, Sergeant-at-Arms, for the amounts set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same, being the mileage due them by law.

Respectfully submitted.

WOLFE, Chairman.

Senator Wolfe moved that the report and resolution be adopted.

The question being on the adoption of the report and resolution.

The roll was called, and the report and resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Simpson, Welch, and Wolfe—30.

NOES—None.

RESOLUTION—(OUT OF ORDER).

By Senator Lukens:

Be it Resolved, That the sum of one hundred (\$100) dollars be, and the same is hereby appropriated out of the Contingent Fund of the Senate, to the Secretary of the Senate, for the purpose of mailing a certified copy of each Act of the extra session of the Legislature of the State of California of the year 1906, as enrolled and signed by the Governor of the State of California, to each County Clerk of the State of California. The State Controller is hereby directed to draw his warrant in favor of the Secretary of the Senate in the said amount.

Resolution read, and referred to Committee on Contingent Expenses.

RECESS.

At one o'clock and twenty minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until four o'clock P. M. of this day.

RECONVENED.

At four o'clock p. m. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read, and was ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, JUNE 3, 1906.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

GEO. C. PARDEE,
Governor of the State of California.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following Senate bills:

Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

And report that the same have been correctly enrolled; and presented the same to the Governor on this third day of June, 1906, at four o'clock and thirty minutes p. m.

KEANE, Chairman.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

J. B. SANFORD.
M. W. SIMPSON.
G. R. LUKENS.
W. H. SAVAGE.
JNO. H. NELSON.
F. A. MARKEY.
R. J. WELCH, Chairman.

CONSIDERATION OF BILL OUT OF ORDER.

On motion of Senator Mucnter, Senate Bill No. 5 was taken up for purpose of amendment.

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

During second reading of bill the following amendments were submitted by the committee:

On page 5, section 3, lines 87 and 88, strike out the words "distant north 48° 50' west 43 feet;" and insert in lieu thereof the following: "South 39° 00' east 29.5 feet distant; thence south 67° 35' west 805 feet; thence north 86° 45' west 706 feet; thence south 67° 15' west 506 feet; thence south 89° 10' west 955 feet; thence south 63° 05' west 761 feet; thence south 42° 20' west 1845 feet to a point from which a four inch gas pipe referred to in said agreement is north 48° 50' west 43 feet distant;"

Amendment adopted.

Also:

Amend on page 5, section 3, lines 92 and 93, by striking out the words "side of said" and inserting in lieu thereof the following: "bank of the."

Amendment adopted.

Also:

Amend on page 7, section 4, line 7, by striking out the period after the word "America" and inserting a comma and the words "and the Secretary of State is hereby authorized and directed to countersign and make delivery of the same to the United States of America."

Amendment adopted.

Also:

Amend title by striking out the period after the word "thereof," on line 21 of title, and inserting a comma and the words "and to authorize and direct the Secretary of State to countersign and make delivery of same to the United States of America."

Amendment adopted.

Bill read second time, ordered to print, and on file for third reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Lukens:

Resolved, That the Sergeant-at-Arms of the Senate provide the Press Mailing Clerks with \$50 worth of postage stamps, the same payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the sum of \$50 and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

LEAVE OF ABSENCE.

Senator Simpson was, on his own motion, granted leave of absence until Tuesday, June 5, 1906.

ADJOURNMENT.

At four o'clock and forty-five minutes P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Monday, June 4, 1906. }

Pursuant to adjournment, the Senate met at ten o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Lecke, Lynch, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—25.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF THE JOURNAL.

During the reading of the Journal of Sunday, June 3, 1906, the further reading was dispensed with, on motion of Senator Mattos.

LEAVE OF ABSENCE.

Senator Rush was, on motion of Senator Keane, granted leave of absence until Wednesday, June 6, 1906.

RUSH ORDER TO PRINTER.

On motion of Senator Leavitt, the Secretary was directed to issue a rush order for the printing of Senate Bills Nos. 22, 24, 33, 34, 35, 37 and 38.

MESSAGES FROM THE ASSEMBLY.

The following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 54 read first time, and on motion of Senator Belshaw was ordered on file without reference to committee.

Assembly Bill No. 55 read first time, and on motion of Senator Belshaw was ordered on file without reference to committee.

RESOLUTION.

The following resolution was offered:

By Senator Belshaw:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of the Sergeant-at-Arms of the Senate, for the sum of fifteen dollars, payable out of the contingent fund of the Senate, to be used as a revolving fund for the purchase of stamps, envelopes and wrappers at the Senate postoffice.

Resolution read, and referred to Committee on Contingent Expenses.

Also:

Resolved, That the Sergeant-at-Arms, or the Bookkeeper to the Sergeant-at-Arms, be and they are hereby authorized to receipt to the Controller for all warrants for payment to members, officers, and attachés of the Senate.

Resolution read and adopted.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks, and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

WOLFE, Chairman.
M. DIGGS,
HENRY W. LYNCH.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Belshaw:

Resolved, That Senate Bill No. 63 presents a case of urgency as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keene, Leavitt, Leeke, Markey, Mattos, McKee, Mnenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—28.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks, and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time, and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 63 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leeke, Markey, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

BILL RECALLED FROM ENGROSSMENT FOR PURPOSE OF AMENDMENT.

On motion of Senator Muentner, Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the city of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith—was recalled from engrossment for the purpose of amendment.

The following amendment was offered:

By Senator Muentner :

Amend by striking out of Section 2, line 6, page 2, the period after the word "America" and inserting in lieu thereof a comma and the following: "and the Secretary of State is hereby authorized and directed to countersign and make delivery of the same to the United States of America."

Amendment adopted.

Bill ordered to print, engrossment, and third reading.

WITHDRAWAL OF BILL.

On the part of the San Francisco Delegation, Senator Wolfe asked for, and was granted, unanimous consent to withdraw Senate Bill No. 14—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Senate Bill No. 14 withdrawn and ordered stricken from the file.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Shortridge: Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Bill read first time, and referred to Committee on Finance.

By Senator Ralston: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Revenue and Taxation.

BILL RECALLED FROM COMMITTEE.

On motion of Senator Belshaw, Senate Bill No. 45—An Act to add a new section to the Code of Civil Procedure to be known as Section 1187a, concerning the time of filing of claims of lien—was ordered recalled from the Committee on Judiciary for purpose of withdrawal by the author.

WITHDRAWAL OF BILL.

Senate Bill No. 45 having been recalled from committee, Senator Belshaw asked for, and was granted, unanimous consent to withdraw the same.

Senate Bill No. 45 withdrawn.

RESOLUTION—(OUT OF ORDER).

By Senator Belshaw:

Resolved, That Assembly Bills Nos. 54 and 55 present a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Leavitt, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Welch, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 54 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 55 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leeke, Lukens, Lynch, Mattos, McKee, Muentter, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Welch, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions—respectfully reports the same back with the recommendation do not pass.

Also: Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings—respectfully reports the same back with the recommendation do not pass.

Also: Senate Bill No. 2—An Act validating acts done or performed on legal holidays—respectfully reports the same back with the recommendation do not pass.

LUKENS, Chairman.

Assembly Bills Nos. 48 and 4, and Senate Bill No. 2 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 4, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolutions:

Resolved, That the Sergeant-at-Arms of the Senate provide the Press Mailing Clerks with \$50 worth of postage stamps, the same payable out of the fund for contingent expenses of the Senate, and the Controller is hereby directed and authorized to draw his warrant for the sum of \$50, and the Treasurer is directed to pay the same.

Be it Resolved, That the sum of one hundred (\$100) dollars be, and the same is hereby appropriated out of the Contingent Fund of the Senate, to the Secretary of the Senate, for the purpose of mailing a certified copy of each act of the extra session of the Legislature of the State of California of the year 1906, as enrolled and signed by the Governor of the State of California, to each County Clerk of the State of California. The State

Controller is hereby directed to draw his warrant in favor of the Secretary of the Senate in the said amount.

Resolved, That the Controller of the State pay, and he is hereby directed to draw his warrant in favor of the Secretary of the Senate for the sum of twenty-five (\$25.00) dollars, for rubber stamps and expressage, the same payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back and recommend that the same be adopted.

WOLFE, Chairman.

Senator Wolfe moved that the report and resolutions be now adopted.

The question being on the adoption of the report and resolutions, the same were adopted.

ADJOURNMENT.

At ten o'clock and forty-five minutes A. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Tuesday, June 5, 1906.

Pursuant to adjournment, the Senate met at ten o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Locke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, June 4, 1906, the further reading was dispensed with, on motion of Senator Mattos.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Also: Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

BELSHAW, Chairman.

Senate Bills Nos. 6, 7, and 67 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc. Co., vs. Charles F. Curry, Secretary of State, San Francisco Number 4422—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

WARD, Chairman.

Senate Bill No. 13 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—have had the same under consideration, and respectfully report the same back and recommend that the same do pass.

WOLFE, Chairman.

Senate Bill No. 18 ordered on file for second reading.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bill correctly engrossed:

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof, and to authorize and direct the Secretary of State to countersign and make delivery of the same to the United States of America.

KEANE, Chairman.

Senate Bill No. 5 ordered on file for third reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.

The following bills, etc., were introduced:

By Senator Wolfe: Senate Bill No. 68—An Act appropriating forty-five hundred (\$4,500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Bill read first time, and referred to Committee on Finance.

By Senator Ralston: Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to the records, books, bonds and certificates of stock of corporations which have been lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

PRESIDENT PRO TEM. WOLFE IN THE CHAIR.

At ten o'clock and thirty minutes A. M., Senator E. I. Wolfe, President pro tem. of the Senate, in the chair.

RESOLUTION — (OUT OF ORDER).

The following resolution was offered:

By Senator Belshaw:

Resolved, That Senate Bill No. 18 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Mucnter, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 18 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, Mucnter, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to main-

tain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the city of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 5 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Lecke, Lukens, Lynch, Markey, Matios, Muentner, Nelson, Pendleton, Rambo, Rowell, Rush, Shortridge, Ward, Welch, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At ten o'clock and forty minutes A. M., on motion of Senator Belshaw, the President pro tem. declared a recess for fifteen minutes.

RECONVENED.

At ten o'clock and fifty-five minutes A. M. the Senate reconvened. Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

SENATOR CURTIN IN THE CHAIR.

At ten o'clock and fifty-six minutes A. M., Senator J. B. Curtin, of the Twelfth District, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts—have had the same under consideration and respectfully report the same back, with recommendation do pass.

Also: Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts—have had the same under consideration and respectfully report the same back, with the recommendation do pass as amended.

Also: Senate Bill No. 64—An Act to provide for the establishment of land titles in case of the loss or destruction of records—for which Act a committee substitute was adopted, which is reported back herewith, and it is recommended that the committee substitute do pass.

LUKENS, Chairman.

Senate Bill No. 37 ordered on file for second reading.

CONSIDERATION OF BILLS—(OUT OF ORDER).

Senator Lukens moved that Senate Bills Nos. 35 and 64 be taken up for the purpose of amendment and second reading.

Motion carried.

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

During second reading of bill the following amendment was submitted by committee:

On page 1, Section 1, lines 4 to 7 inclusive, strike out all of the words and insert in lieu thereof the following: "901a. The court, or any justice thereof, may stay the execution of any judgment in a case of forcible entry or unlawful detainer, for a period not exceeding ten days."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

Senate Bill No. 64—An Act to provide for the establishment of land titles in case of the loss or destruction of records.

During second reading of bill the following substitute was submitted by committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 64.

An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

The people of the State of California, represented in the Senate and Assembly, do enact as follows:

SECTION 1. Whenever the public records in the office of a county recorder have been, or shall hereafter be, lost or destroyed, in whole or in any material part, by flood, fire or earthquake, any person who claims an estate of inheritance, or for life in, and who is by himself or his tenant, or other person, holding under him, in the actual and peaceable possession of any real property in such county, may bring and maintain an action *in rem* against all the world, in the superior court for the county in which such real property is situate, to establish his title to such property and to determine all adverse claims thereto. Any number of separate parcels of land claimed by the plaintiff may be included in the same action.

SEC. 2. The action shall be commenced by the filing of a verified complaint, in which the party so commencing the same shall be named as plaintiff, and the defendants shall be described as "all persons claiming any interest in, or lien upon the real property herein described, or any part thereof," and shall contain a statement of the facts enumerated in section one of this act, a particular description of such real property, and a specification of the estate, title, or interest of the plaintiff therein.

SEC. 3. Upon the filing of the complaint, a summons must be issued under the seal of the court, which shall contain the name of the court and county in which the action is brought, the name of the plaintiff and a particular description of the real property involved, and shall be directed to "all persons claiming any interest in, or lien upon the real property herein described, or any part thereof," as defendants, and shall be substantially in the following form:

"In the superior court of the State of California in and for the county (or city and county) of....."

		Plaintiff,	} Action No. .
vs.			
All persons claiming any interest in, or lien upon, the real property herein described or any part thereof.		Defendants.	

The People of the State of California, to all persons claiming any interest in, or lien upon, the real property herein described or any part thereof, defendants, greeting:

You are hereby required to appear and answer the complaint of....., plaintiff, filed with the clerk of the above entitled court and county, within three months after the first publication of this summons, and to set forth what interest or lien, if any, you have in or upon that certain real property or any part thereof, situate in the county (or city and county) of....., State of California, particularly described as follows: (Here insert description.)

And you are hereby notified that, unless you so appear and answer, the plaintiff will apply to the court for the relief demanded in the complaint, to wit: (Here insert a statement of the relief so demanded.)

Witness my hand and the seal of said court,
(Seal) this day of A. D.

..... Clerk."

SEC. 4. The summons shall be published in a newspaper of general circulation published in the county in which the action is brought. The newspaper in which such publication is to be made shall be designated by an order of the court or a judge thereof to be signed and filed with the clerk. No other order for the publication of the summons shall be necessary, nor shall any affidavit therefor be required, nor need any copy of the complaint be served, except as hereinafter required. The summons shall be published at least once a week for a period of two months, and to each publication thereof shall be appended a memorandum in substance as follows:

"The first publication of this summons was made in
..... (here insert name) newspaper on the day of
A. D." (inserting the date).

And if the affidavit provided for in section five of this act discloses the name of any person claiming an interest in the property, or a lien thereon adverse to the plaintiff, that fact, together with the name and address (if given), of said person shall be stated in a memorandum to be appended to the summons in substance as follows:

"The following persons are said to claim an interest in, or lien upon said property adverse to plaintiff" (giving their names and addresses as above provided). A copy of the summons, together with a copy of the foregoing memoranda, shall be posted in a conspicuous place on each separate parcel of the property described in the complaint within fifteen days after the first publication of the summons.

SEC. 5. At the time of filing the complaint, the plaintiff shall file with the same his affidavit, fully and explicitly setting forth and showing (1) the character of his estate, right, title, interest or claim in, and possession of the property, during what period the same has existed and from whom obtained; (2) whether or not he has ever made any conveyance of the property, or any part thereof, or any interest therein, and if so, when and to whom; also a statement of any and all subsisting mortgages, deeds of trust, and other liens thereon; (3) that he does not know and has never been informed of any other person who claims or who may claim, any interest in, or lien upon, the property or any part thereof, adversely to him, or, if he does know or has been informed of any such person, then the name and address of such person. If the plaintiff is unable to state any one or more of the matters herein required, he shall set forth and show, fully and explicitly, the reasons for such inability. Such affidavit shall constitute a part of the judgment roll. If the plaintiff be a corporation, the affidavit shall be made by an officer thereof. If the plaintiff be a person under guardianship the affidavit shall be made by his guardian.

SEC. 6. If the said affidavit discloses the name of any person claiming any interest in, or lien upon, the property adverse to the plaintiff, the summons shall also be personally served upon such person if he can be found within the State, together with a copy of the complaint and a copy of said affidavit during the period of the publication of the summons; and to the copy of the summons delivered to any such person there shall be appended a copy of the memoranda provided for in Section 4 hereof.

If such person resides out of this state a copy of the summons, memoranda, complaint and affidavit shall be within fifteen days after the first publication of the summons deposited in the United States post office, enclosed in a sealed envelope, postage prepaid, addressed to such person at the address given in the affidavit or if no address be given therein, then at the county seat of the county in which the action is brought. If such person resides within this state and could not with due diligence be found within the state, within the period of the publication of the summons, then said copies aforesaid shall be mailed to him as above provided forthwith upon the expiration of said period of publication.

SEC. 7. Upon the completion of the publication and posting of the summons and its service upon and mailing to the persons, if any, upon whom it is hereby directed to be so specially served the court shall have full and complete jurisdiction over the plaintiff and the said property and of the person of every one having or claiming any estate, right, title or interest, in or to, or lien upon, said property, or any part thereof, and shall be deemed to have obtained the possession and control of said property for the purposes of the action, and shall have full and complete jurisdiction to render the judgment therein which is provided for in this act.

SEC. 8. At any time within three months from the first publication of the summons, or within such further time, not exceeding thirty days as the court may, for good cause, grant, any person having or claiming any estate, right, title or interest, in or to, or lien upon, said property or any part thereof, may appear and make himself a party to the action by pleading to the complaint. All answers must be verified and must specifically set forth the estate, right, title, interest, or lien so claimed.

SEC. 9. The plaintiff must, at the time of filing the complaint, and every defendant claiming any affirmative relief must, at the time of filing his answer, record in the office of the recorder of the county in which the property is situated, a notice of the pendency of the action containing the object of the action or defense, and a particular

description of the property affected thereby, and the recorder shall record the same in a book devoted exclusively to the recordation of such notices and shall enter upon a map or plat of the parcels of land to be kept by him for that purpose, on that part of the map or plat representing the parcel or parcels so described a reference to the date of the filing of such notice and when recorded, to the book and page of the record thereof.

SEC. 10. No judgment in any such action shall be given by default, but the court must require proof of the facts alleged in the complaint and other pleadings.

SEC. 11. The judgment shall ascertain and determine all estates, rights, titles, interests and claims in and to said property and every part thereof, whether the same be legal or equitable, present or future, vested or contingent, or whether the same consist of mortgages or liens of any description and shall be binding and conclusive upon every person who, at the time of the commencement of the action, had or claimed any estate, right, title, or interest in or to said property, or any part thereof, and upon every person claiming under him by title subsequent to the commencement of the action. A certified copy of the judgment in such action shall be recorded in the office of the recorder of the county in which said action was commenced, and any party or the successor in interest of any party to said action may, at his option, file for record in the office of the recorder of such county the entire judgment roll in said action.

SEC. 12. Except as herein otherwise provided, all the provisions and rules of law relating to evidence, pleading, practice, new trials and appeals applicable to other civil actions shall apply to the actions hereby authorized.

At any time after the issuance of the summons any party to the action may take depositions therein in conformity to law upon notice to the adverse party sought to be bound by such depositions, and who have appeared in the action (if any) and upon notice filed with the clerk. The depositions may be used by any party against any other party giving or receiving the notice (except the clerk) subject to all just exceptions.

SEC. 13. The clerk shall number consecutively in a distinct series all actions hereby authorized and shall keep an index and register thereof devoted exclusively to such actions.

SEC. 14. Whenever judgment in an action hereby authorized shall have been entered as to any real property, no other action relative to the same property or any part thereof maintained under this act shall be tried until proof shall first have been made to the court that all persons who appeared in the first action or their successors in interest have been personally served with the papers mentioned in section 6 of this act either within or without this state more than one month before the time to plead expired.

SEC. 15. An executor, administrator or guardian or other person holding the possession of property in the right of another, may maintain as plaintiff and may appear and defend in the action herein provided for.

SEC. 16. The word "county" whenever used in this Act includes and applies to a consolidated city and county.

SEC. 17. The remedies provided for by this Act shall be deemed cumulative, and in addition to any other remedy now or hereafter provided by law for quieting or establishing title to real property.

SEC. 18. All actions authorized hereby must be commenced before July 1st 1906.

SEC. 19. This Act shall be in force thirty days after its passage.

Substitute read and adopted.

Bill read second time and ordered to print, engrossment and third reading.

RECESS.

At eleven o'clock A. M., on motion of Senator Belshaw, the Acting President declared the Senate at recess until two o'clock P. M. of this day.

RECONVENED.

At two o'clock P. M. the Senate reconvened.

Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Insh, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentzer, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.

Quorum present.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON BANKING.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Banking, to whom was referred Senate Bill No. 33—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith—have had the same under consideration, and respectfully report the same back, and recommend that the committee substitute herewith do pass.

Also: Senate Bill No. 55—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith—have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to withdraw the same.

RALSTON, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Ralston moved that Senate Bill No. 33 be taken up for the purpose of amendment and second reading.

Motion carried.

Senate Bill No. 33—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners, and proceedings in connection therewith.

During second reading of bill the following substitute was submitted by committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 33.

An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending section ten thereof, relating to the duties and powers of said Board of Bank Commissioners, and proceedings in connection therewith.

The People of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section ten of "An Act creating a Board of Bank Commissioners," approved March 24, 1903, is hereby amended to read as follows:

Section 10. If the Bank Commissioners, on examination of the affairs of any bank or banking corporation, shall find that any such bank or banking corporation has been guilty of violating its charter, the laws of this State, or any of the provisions of this Act, or is conducting business in an unsafe manner, they shall, by an order addressed to the bank or banking corporation so offending, direct discontinuance of such illegal and unsafe practices, and a conformity with the requirements of the law and its charter, and of the provisions of this Act. And if such bank or banking corporation shall refuse or neglect to conform with such requirements before the expiration of the time in the order specified, or if it shall appear to the said commissioners and they shall unanimously decide that it is unsafe for any such bank or banking corporation to continue to transact business, it shall be the duty of the commissioners immediately to take such control of such bank or banking corporation, and all the property and effects thereof, as may be deemed by the commissioners necessary to prevent waste or diversion of assets, and to hold possession of the same until the order of court hereinafter mentioned. The commissioners shall immediately notify the Governor and the Attorney-General of their action in the premises. Immediately after taking such control of such bank or banking corporation, the commissioners shall employ a satisfactory and proper person as controller of such bank or banking corporation and the property thereof, fix his compensation, and from time to time prescribe his duties, and enforce the performance of such duties. They shall require him to execute a bond to the people of the State of California, with sufficient sureties to be approved by the commissioners, in such penal sum as the commissioners may prescribe, conditioned that such controller will faithfully perform the duties so prescribed by the commissioners, and will truly, faithfully and fully

account to the commissioners for all properties, real, personal, and mixed, received by such controller for the account of such bank or banking corporation. The commissioners shall require such controller to conserve the assets of such bank or banking corporation, to collect, and safely keep, all moneys due, owing or payable to such bank or banking corporation, and commence and prosecute, in the name of such bank or banking corporation, such actions as may be necessary for said purposes, or such as the commissioners may deem necessary to protect and preserve the rights of such bank or banking corporation. The Attorney-General, upon receiving such notification, and upon a request by the commissioners in writing shall commence suit in the proper court against such bank or banking corporation, and the directors, trustees, or owners thereof, to enjoin and prohibit them from the transaction of any further business. The Bank Commissioners shall have the power, at any time before the judgment is entered, to direct the Attorney-General to dismiss any action commenced under the provisions of this section, and the commissioners shall likewise have the power, within the same period of time, to discharge any controller so appointed and to restore the property of any bank or banking corporation to the owner or officers thereof. If upon the hearing of the case the court shall find that such bank or banking corporation is solvent and may safely continue business, it shall dismiss the action, and order that the bank or banking corporation, and all the property thereof, be restored to the possession of the officers or owners of such bank, or banking corporation. If the court shall find that it is unsafe for such bank or banking corporation to continue business, or that such bank or banking corporation is insolvent, said court shall, by its decree, order such bank or banking corporation into involuntary liquidation, and shall issue the injunction applied for, and shall cause the same to be served according to law, and as part of its judgment, the court shall order the commissioners to surrender the property of the bank or banking corporation in their possession, to a receiver appointed by the court for the purpose of liquidation, in such proceeding, under the orders and direction of the court. Before surrendering to him the property of the bank or banking corporation, the court shall require the person named as receiver, to execute an undertaking, in an amount to be fixed by the court, that he will well and truly perform all the duties devolving upon him by reason of such receivership, and that he will faithfully discharge the duties of receiver in the proceeding, and obey the orders of the court therein. Such receiver shall have the same powers as the owners of such bank, or the board of directors of such banking corporation. Every receiver appointed under the provisions of this section shall make reports of the condition of the affairs of any bank or banking corporation under his charge, to the Bank Commissioners, in the same manner as solvent banks are, by law, required to do, and, in addition thereto, shall state the amount of moneys paid, debts collected, and the money realized on property sold, if any, since the last previous report. The Bank Commissioners shall have the power, and it is hereby made their duty, to examine the condition and affairs of every such bank or banking corporation in liquidation, in the same manner as in case of solvent banks, and they shall have a general supervision of the affairs of such bank or banking corporation in liquidation. They shall also have the power to employ and fix the salaries of the necessary employes to close up the business of any such bank or banking corporation in liquidation, and shall do all in their power to make such liquidation as economical, and as expeditious as the interests of the creditors, depositors, owners, and stockholders will permit. The issuance of the injunction hereinbefore provided for, shall, by operation of law, dissolve any and all attachments levied upon any property of such bank or banking corporation within one month next preceding the date of the commencement of the action in injunction herein provided for. No attachment or execution shall, after such assumption of control by the commissioners, be levied upon any property of such bank or banking corporation, nor shall any lien be created thereon, nor shall the owner, board of directors, board of trustees, agent, attorney, or any other person, for or on behalf of such bank or banking corporation, perform any act or acts, or exercise any power or powers, of or in relation to any of the affairs, or any of the property or rights of such bank or banking corporation.

If any owner, officer, or employe of any bank or banking corporation, solvent, insolvent, or in liquidation, or if any other person shall refuse to comply with the provisions of this section, or disregard or refuse to obey the directions of said Bank Commissioners, given in accordance with the provisions of this Act, such person, officer, or employe shall be guilty of a misdemeanor and shall be punished by a fine of not exceeding five thousand dollars, or by imprisonment in the county jail of not exceeding one year, or by both such fine and imprisonment. When the action herein provided for shall have been concluded the duties of the Attorney-General shall end.

The Bank Commissioners shall, by a resolution entered upon its minutes, concurring in by at least three members, have power, by and with the consent of the Attorney-General, to employ legal counsel for any of the purposes mentioned in this section or to enforce any of the penalties prescribed by this Act, the expense thereof to be a charge against the individual bank concerning which said services are required, and if more than one bank, then *pro rata* among such banks.

All the provisions of the Code of Civil Procedure, in so far as the same are not inconsistent with the provisions of this Act, shall be applicable to any and all actions commenced under and pursuant to the provisions of this section; *provided*, that if an appeal is taken from the judgment of the court issuing the injunction

prayed for in the complaint, the execution and filing of an undertaking on appeal shall not operate to restore the property of the bank or banking corporation to the possession of the owners or board of directors of the bank or banking corporation, but such property shall in such event remain in the custody and control of the controller so appointed by the commissioners.

All expenses of the controller and receiver shall be paid out of the funds of the bank or banking corporation.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time and ordered to print, engrossment, and third reading.

WITHDRAWAL OF BILL.

On the part of the San Francisco Delegation, Senator Welch asked for, and was granted, unanimous consent to withdraw Senate Bill No. 55. Senate Bill No. 55 withdrawn and ordered stricken from the file.

INTRODUCTION AND FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were introduced:

By Senator Lukens: Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Bill read first time, and referred to Committee on Finance.

By Senator Ralston: Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or shares in corporations, associations and joint-stock companies: providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Bill read first time, and referred to Committee on Finance.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school censuses—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass as amended.

Also: Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity—have had the same under consideration, and respectfully report the same back and recommend that the same do pass and be re-referred to the Committee on Judiciary.

Also: Senate Bill No. 49—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

Also: Senate Bill No. 51—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Also: Senate Bill No. 58—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Have had the same under consideration, and respectfully report the same back and recommend that they be withdrawn by authors, as they are duplicates of other bills on the same subjects.

ROWELL, Chairman.

Senate Bills Nos. 47 and 48 ordered on file for second reading.

Senate Bill No. 38 referred to Committee on Judiciary.

WITHDRAWAL OF BILLS.

On the part of the San Francisco Delegation, Senator Welch asked for, and was granted, unanimous consent to withdraw Senate Bills Nos. 49, 51, and 58.

Senate Bills Nos. 49, 51, and 58 were withdrawn and ordered stricken from the file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Rowell moved that Senate Bill No. 48 be taken up for the purpose of amendment and second reading.

Motion carried.

Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

During second reading of bill the following amendments were submitted by committee:

On page 1, Section 1, strike out the whole of lines one to three inclusive, and insert in lieu thereof the following:

"SECTION 1. Section five of 'An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution, approved March 2, 1903,' approved March 6, 1905, is hereby amended to."

Amendment adopted.

Also: Strike out line three of the title of said bill and insert in lieu thereof the following: "its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution, approved March 2, 1903, approved March 6, 1905,' by amending."

Amendment adopted.

Bill read second time and ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

The following resolutions were offered:

By Senator Irish:

Resolved, That Bing C. Brier be and he is hereby elected to the position of stenographer, and that the name of Miss Q. Derry be stricken from the roll.

Resolution read and adopted:

By Senator Shortridge:

Resolved, That each member of the Senate be and he is hereby allowed twenty-five (\$25.00) dollars for contingent expenses provided by the Constitution, payable out of the appropriation for contingent expenses of the Senate. The Controller is hereby directed to draw his warrant for such balance as may stand to the credit at the close of to-day's session, and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

SENATOR SHORTRIDGE IN THE CHAIR.

At two o'clock and forty-five minutes P. M., Senator Shortridge, of the Twenty-eighth District, in the chair.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Belshaw, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 18 ordered to enrollment.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 4, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Adopted Assembly Joint Resolution No. 1—Relating to bill pending in the House of Representatives of the United States relating to five per cent of proceeds of sale of public lands.

CLIO LLOYD, Chief Clerk of the Assembly.
By CHAS. A. THOMPSON, Assistant Clerk.

Senate Bill No. 63 ordered to enrollment.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Belshaw moved that Assembly Joint Resolution No. 1 be taken up for consideration.

Motion carried.

ASSEMBLY JOINT RESOLUTION No. 1.

Relating to bill pending in the House of Representatives of the United States, relating to five per cent of proceeds of sale of public lands.

WHEREAS, There is now pending in the House of Representatives of the United States Senate, Bill No. 1031, the purpose of which is to allow to the State of California five per cent of the net proceeds of the cash sales of public lands in this State, and which passed the United States Senate February 1, 1906; and

WHEREAS, The State of California has never received any sum upon such sales, while the other public-land states have received from five to twenty-six per cent of the receipts from the sale of the public domains within their borders; and

WHEREAS, The allowance to California of her percentage upon such sales would be an act of equity, and would, moreover, at this juncture materially aid her to bear the added financial burden entailed by the recent disaster to the city of San Francisco.

Resolved, by the Assembly and Senate of the State of California, jointly, That we respectfully request the Honorable Speaker of the House of Representatives to recognize Hon. S. C. Smith, Congressman from the Eighth District of the State of California, to the end that he may call up said Senate Bill No. 1031 for consideration and final action; and

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be directed to transmit immediately a copy of this resolution to the Honorable Speaker of the House of Representatives of the United States.

Joint resolution read.

The question being on the adoption of Assembly Joint Resolution No. 1.

The same was adopted.

Joint Resolution No. 1 ordered transmitted to the Assembly.

MESSAGE FROM THE GOVERNOR.

On motion of Senator Hahn, the following message from the Governor was received and read, and was ordered printed in the Journal:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 4, 1906.

To the Senate of the State of California :

I have the honor to inform your honorable body that I have approved Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Also: Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

GEORGE C. PARDEE,
Governor of the State of California.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 32—An act to amend Section 1617 of the Political Code, relating to public schools—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended by the committee.

ROWELL, Chairman.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Rowell moved that Senate Bill No. 32 be taken up for the purpose of amendment and second reading.

Motion carried.

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

During second reading of the bill the following amendment was submitted by committee:

On page 4, Section 1, line 130, insert after the word "litigation" the following: "claims, demands and causes of action."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

ATTACHÉ STRICKEN FROM THE PAY ROLL.

On motion of Senator Curtin, the name of Rowan Hardin was ordered stricken from the pay roll.

ADJOURNMENT.

At three o'clock P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Wednesday, June 6, 1906. }

Pursuant to adjournment, the Senate met at ten o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Kcane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—34.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Micl.

READING OF THE JOURNAL.

During the reading of the Journal of Tuesday, June 5, 1906, the further reading was dispensed with, on motion of Senator Coggins.

APPROVAL OF JOURNALS.

The Journals of Saturday, June 2, Sunday, June 3, and Monday, June 4, 1906, having been previously read and corrected, were approved.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

Also: Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor.

Also: Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

BELSHAW, Chairman.

Senate Bills Nos. 59, 41, 46, and 62 ordered on file for second reading.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed:

Committee Substitute for Senate Bill No. 64—An Act to provide for the establishing and quieting of title to real property in case of the loss or destruction of public records.

Also: Senate Bill No. 33—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Also: Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Also: Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

KEANE, Chairman.

Committee Substitute for Senate Bill No. 64 and Senate Bills Nos. 33, 48, and 32 ordered on file for second reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

Also: Senate Bill No. 24—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of Diego as the agent of the State to make such transfer.

Also: Senate Bill No. 31—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the city of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Have had the same under consideration, and respectfully report the same back and recommend that they be withdrawn, because like bills have been introduced and are on file.

WELCH, Chairman.

Senate Bills Nos. 42, 24, and 31 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 892, relative to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity—have had the same under consideration and respectfully report the same back, and recommend that the bill do pass as amended.

LUKENS, Chairman.

Senate Bill No. 38 ordered on file for second reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Constitutional Amendment No. 7—Proposed amendment relative to amending the Constitution of the State of California by repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article, relating to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—respectfully report the same back, with recommendation that author be permitted to withdraw the same.

Also: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—respectfully report the same back, with recommendation that it be adopted.

Also: Senate Constitutional Amendment No. 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—respectfully report the same back, with recommendation that author be permitted to withdraw the same.

WARD, Chairman.

Senate Constitutional Amendments Nos. 7, 8, and 11 ordered on file.

ON CORPORATIONS.

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: Your Committee on Corporations, to whom was referred Senate Bill No. 34—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597*a*, relating to statements to be furnished to the Insurance Commissioner by insurance companies—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Senate Bill No. 21—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597*a*, relating to statements to be furnished to the Insurance Commissioner by insurance companies—have had the same under consideration, and respectfully report the same back and recommend that the author be permitted to withdraw the same.

PENDLETON, Chairman.

Senate Bills Nos. 34 and 21 ordered on file for second reading.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696*a*, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity—have had the same under consideration, and respectfully report the same back and recommend the adoption of the accompanying substitute.

ROWELL, Chairman.

Senate Bill No 56 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution by Senator Shortridge:

Resolved, That each member of the Senate be and he is hereby allowed twenty-five (\$25.00) dollars for contingent expenses provided by the Constitution, payable out of the appropriation for contingent expenses of the Senate. The Controller is hereby directed to draw his warrant for such balance as may stand to the credit at the close of to-day's session, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back without recommendation.

WOLFE, Chairman.

CONSIDERATION OF RESOLUTION—(OUT OF ORDER).

Senator Shortridge moved that the resolution reported back by the Committee on Contingent Expenses be now taken up for consideration.
Motion carried.

Whereupon the Secretary was directed to read the resolution, as follows:

Resolved, That each member of the Senate be and he is hereby allowed twenty-five (\$25.00) dollars for contingent expenses provided by the Constitution, payable out of the appropriation for contingent expenses of the Senate. The Controller is hereby directed to draw his warrant for such balance as may stand to the credit at the close of to-day's session, and the Treasurer is directed to pay the same.

The question being on the adoption of the resolution.

During the discussion, Senator Ralston moved the previous question.

The motion was duly seconded by Senators Leavitt, Wolfe, and Pendleton.

Whereupon the President put the question, "Shall the question be now put?"

The question being on the motion.

The same was carried.

Senator Wolfe moved that the resolution be recommitted.

POINT OF ORDER.

Senator Shortridge made the point of order that, inasmuch as the previous question had been moved and carried, no other business could intervene.

Whereupon the President declared the point of order well taken.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Bauer, Broughton, Carter, Coggins, Curtin, Greenwell, Haskins, Irish, Keane, Lecke, Lynch, Markey, McKee, Muentner, Nelson, Pendleton, Rush, Sanford, Savage, Shortridge, and Welch—21.

NOES—Senators Anderson, Belshaw, Diggs, Hahn, Leavitt, Lukens, Mattos, Ralston, Rambo, Rowell, Simpson, Ward, and Wolfe—13.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT.

Senator Ralston asked for, and was granted, unanimous consent to withdraw Senate Constitutional Amendment No. 11.

Senate Constitutional Amendment No. 11 withdrawn, and ordered stricken from the file.

MOTION.

Senator Lukens moved that Senate Bill No. 38 be taken up for purpose of amendment and second reading.

Motion lost.

RESOLUTIONS.

The following resolutions were offered:

By Senator Carter:

WHEREAS, Bills have been introduced in the Senate to appropriate money for institutions, for deficiencies arising by reason of destruction of taxable property; now, therefore, be it

Resolved, That the State Controller be requested to furnish to the Senate, at his earliest convenience, an estimate of the amount that the taxes for the next ensuing fiscal year will be deficient by reason of said destruction of property.

Resolution read and adopted.

By Senator Lynch:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Senate, and the State Treasurer is hereby authorized to pay the same, for the sum of three hundred and thirty-nine and seventy one-hundredths (\$339.70) dollars, in favor of J. Louis Martin, Sergeant-at-Arms of the Senate, the same being for the payment of the following bills attached, for the preparation of the Senate Chamber for the thirty-sixth (extra) session, viz:

Labor	\$119.00
Varnishing	9.25
Relaying carpet, etc.	45.00
Locksmithing	32.65
James McNeil, labor	13.50
Drayage	88.00
Repairing electrical fixtures	32.30
Total	\$339.70

Resolution read, and referred to Committee on Contingent Expenses.

INTRODUCTION AND FIRST READING OF BILLS—(OUT OF ORDER).

The following bills were introduced:

By San Francisco Delegation: Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site, or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building, or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of State government of the State of California maintaining headquarters in the City of San Francisco, and making an appropriation therefor.

Read first time, and referred to Committee on Finance.

By Senator Pendleton: Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time, and on motion of Senator Pendleton ordered on file.

By the San Francisco Delegation: Senate Bill No. 75—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Read first time, and referred to Committee on Judiciary.

RUSH ORDER TO PRINTER.

On motion of Senator Wolfe, the Secretary was directed to issue a rush order for the printing of Senate Bill No. 73.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Committee Substitute for Senate Bill No. 64—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 64 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muentner, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending section five thereof, relating to the apportionment of said fund.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 48 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner,

Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 32 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muerter, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SECOND READING OF BILLS.

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 13—An Act appropriating four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc., Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read second time, considered engrossed, and ordered on file for third reading.

Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read second time, considered engrossed, and ordered on file for third reading.

RECESS.

At eleven o'clock and forty minutes A. M., on motion of Senator Belshaw, the President declared the Senate at recess until two o'clock P. M. of this day.

RECONVENED.

At two o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

BILL ON FILE RE-REFERRED TO COMMITTEE.

On motion of Senator Ralston, Senate Bill No. 33, also substitute therefor, were re-referred to Committee on Banks and Banking.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following bills:

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

And report that the same have been correctly enrolled; and that they were presented to the Governor on this sixth day of June, 1906, at twelve o'clock M.

KEANE, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bill correctly engrossed:

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

KEANE, Chairman.

CONSIDERATION OF BILL.

Senator Leavitt moved that Senate Bill No. 35 be now taken up for consideration.

Motion carried.

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 35 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Ward, Welch, and Wolfe—31.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

Also: Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

Also: Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 11 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 12 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 29 read first time, and referred to Committee on Judiciary.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of the Sergeant-at-Arms of the Senate, for the sum of fifteen dollars, payable out of the contingent fund of the Senate, to be used as a revolving fund for the purchase of stamps, envelopes and wrappers at the Senate postoffice.

Have had the same under consideration, and respectfully report the same back and recommend that the same be adopted.

WOLFE, Chairman.

REPORT AND RESOLUTION ADOPTED.

Senator Belshaw moved that the report of the Committee on Contingent Expenses and the resolution be adopted.

Motion carried.

RECESS.

At two o'clock and thirty minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until eight o'clock P. M of this day.

RECONVENED.

At eight o'clock P. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

TELEGRAM.

The President directed the Secretary to read the following telegram, which was ordered printed in the Journal and referred to the Committee on Judiciary:

SAN FRANCISCO, CAL., June 6, 1906.

President of the Senate, Sacramento, Cal.

The undersigned representatives of the down-town property owners' association desire to protest against the suspension of the charter of the city of San Francisco for two years. It has been publicly stated that this bill is in the interest of the manufacturing,

commercial, mercantile, and property classes of this city. To our certain knowledge we are positive the measure in question has excited general condemnation. The property classes of this city are opposed to any contemplated changes in the avenues and streets of the business district. It will prevent the quick rebuilding of this city and the rehabilitation of San Francisco's commercial supremacy. This Act ties our hands in every direction and all commercial and manufacturing enterprises. Above all, we protest against the Senate and Assembly surrendering their just rights in the supervision of legislation for the City and County of San Francisco. This supervision in normal times has been wise, and now in this crisis we see no reason why our State representatives should not continue to take the same interest in our city whose waterfront the State owns and controls. We, therefore, respectfully request that the Act for the suspension of the San Francisco charter be not passed.

(Signed:) John F. Boyd, chairman committee; Parrott & Co., Davis Estate Company, John M. Curtis, R. F. Morrow, Walter E. Dean, Frank W. Marston, Samuel Knight, George D. Toyk, The Johnson-Locke Mercantile Co., Frank S. Johnson, J. M. Rothchild, Boyd Estate Co., Seroth Estate Company, Starr Estate, Adams Estate, A. A. Moore Jr., Matt I. Sullivan.

COMMUNICATION.

The President directed the Secretary to read the following communication, which was ordered printed in the Journal and referred to Committee on Revenue and Taxation:

CONTROLLER'S DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 6, 1906.

To the Honorable the Senate of the State of California:

GENTLEMEN: In accordance with the request embodied in your resolution of even date, I beg to submit the following:

I estimate that the loss of assessable property for the ensuing year will not exceed one hundred and fifty millions of dollars. This will not create a deficiency in any of the appropriations, except as to the State University. For the reason that the two-cent ad valorem tax is based on the assessed value of taxable property, there will be a loss to this institution of thirty thousand dollars.

All of which is respectfully submitted.

Very truly yours,

E. P. COLGAN, Controller.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.

Also: Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 8—An Act appropriating \$123,392.31 to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California—have had the same under consideration, and respectfully report the same back and recommend that Committee Substitute for Senate Bill No. 8 do pass.

BELSHAW, Chairman.

Senate Bills Nos. 43, 73, and 8 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts—have had the same under consideration, and respectfully report the same back with recommendation that it do pass.

Also: Senate Bill No. 54—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Also: Senate Bill No. 53—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Have had the same under consideration, and respectfully report the same back, with recommendation that they be withdrawn by the author.

LUKENS, Chairman.

Senate Bill No. 36 ordered on file for second reading.

WITHDRAWAL OF BILLS.

On the part of the San Francisco Delegation, Senator Welch asked for, and was granted, unanimous consent to withdraw Senate Bills Nos. 54 and 53.

Senate Bills Nos. 54 and 53 withdrawn and ordered stricken from the file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Lukens moved that Senate Bill No. 8 be taken up for purpose of amendment and second reading.

Motion carried.

Senate Bill No. 8—An Act appropriating \$123,392.31 to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California.

During second reading of bill the following substitute was submitted by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 8.

An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. The sum of eighty-three thousand eight hundred (\$83,800.00) dollars is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to replace and restore income of the University of California lost through disaster and fire, and to be expended by the Regents of the University of California in restoring and replacing damaged buildings of the University of California and in providing buildings and equipment on property belonging to the University for the use and accommodation of the students of the University, and for the cost and necessary maintenance of the departments of the University of California.

SEC. 2. The Controller is hereby authorized and directed to draw his warrants for the same payable to the order of the Treasurer of the University of California, and the Treasurer of State is hereby directed to pay such warrants.

SEC. 3. This Act is exempted from the provisions of section six hundred and seventy-two (672) of the Political Code of the State of California.

Substitute read and adopted.

Bill read second time and ordered to print, engrossment, and third reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bills, etc., were introduced:

By Senator Simpson: Senate Bill No. 76—An Act appropriating forty-five hundred (\$4,500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read first time, and referred to Committee on Finance.

Also: Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy where the same has been destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

By San Francisco Delegation: Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

By Senator Ralston: Senate Bill No. 79—An Act to add a new section to the Civil Code, to be numbered 297*a*, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

By Senator Broughton: Senate Bill No. 80—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1043*c*, relating to the restoration of bonds on attachment, writs of attachment, and the return of service thereof, in any action in any court which have been, or shall hereafter be lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

By San Francisco Delegation: Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Referred to Committee on Education.

ADJOURNMENT.

At eight o'clock and forty-five minutes P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Thursday, June 7, 1906. }

Pursuant to adjournment, the Senate met at eleven o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Welch—30.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Mie.

READING OF THE JOURNAL.

During the reading of the Journal of Wednesday, June 6, 1906, the further reading was dispensed with, on motion of Senator Keane.

APPROVAL OF JOURNAL.

The Journal of Tuesday, June 5, 1906, having been previously read and corrected, was approved.

MOTION TO APPOINT COMMITTEE.

Senator Shortridge moved that a committee of three be appointed to request the contractor at work repairing the Capitol building to refrain as much as possible from making noises that would interfere with the deliberations of the Senate.

Motion carried.

APPOINTMENT OF COMMITTEE.

In compliance with the above motion, the President appointed Senators Shortridge, Simpson and Coggins as such committee.

RESOLUTIONS.

The following resolutions were offered :

By Senator Leavitt :

Resolved, That Senate Bills Nos. 59, 41, 46, 62, 42, 38, 34, 56, 74, 43, 73 and 36 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house, is hereby dispensed with, and it is ordered that said bills be read the second and third times and placed upon their passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote :

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, McKee, Muentner, Nelson, Pendleton, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—27.

NOES—None.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same—have had the same under consideration, and respectfully report the same back, with recommendation do pass.

LUKENS, Chairman.

Assembly Bill No. 29 ordered on file for second reading.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed:

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Also: Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José and making an appropriation therefor.

Also: Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Also: Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Also: Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Also: Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

KEANE, Chairman.

Senate Bills Nos. 6, 7, 67, 13, 37, 47, and Committee Substitute for Senate Bill No. 8 ordered on file for third reading.

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

WARD, Chairman.

Senate Bill No. 19 ordered on file for second reading.

REPORT OF COMMITTEE.

Senator Shortridge, chairman of the committee appointed to request the contractor who has in hand the repair of the Capitol building to refrain from noises that would interfere with the deliberations of the Senate, reported that the committee had performed its labors and that the contractor had assured the committee that in future he would give the Senators no cause for complaint.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Also: Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bill No. 27 read first time, and referred to Committee on Judiciary.

Asscmby Constitutional Amendment No. 3 referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 6 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 7 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

NOES—None

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 67 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Pendleton, Ralston, Rambo, Rush, Sanford, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 13—An Act appropriating four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the

eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 13 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 37 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Muentner, Rambo, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—25.

NOES—Senator Irish—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 47 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF CONSTITUTIONAL AMENDMENT.

Senator Pendleton asked for, and was granted, unanimous consent to withdraw Senate Constitutional Amendment No. 7—Proposed amendment relative to amending the Constitution of the State of California, repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Senate Constitutional Amendment No. 7 withdrawn, and ordered stricken from the file.

Committee Substitute for Senate Bill No. 8—An Act appropriating \$123,392.31 to reimburse the Regents of the University of California

for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 8 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CASES OF URGENCY.

The following bills were taken up for consideration under a resolution of urgency adopted this day:

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

During second reading of bill the following amendment was submitted by committee:

Strike out all of section two and renumber section three section two.

Amendment read and adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

During the second reading of bill the following amendment was offered by Senator Sanford:

On page 1, Section 1, line 1, strike out the words and figures "twenty-five (25)" and insert in lieu thereof the words and figures "thirty (30)."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 46 passed by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 62 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

During second reading of bill the following amendment was submitted by the committee:

On page 2, Section 4, line 18, after the word "beginning," strike out the period, add a comma, and thereafter these words: "together with wharf privileges appurtenant necessary to the use of said land."

Also: On page 2, Section 2, line 1, after the word "executed," add a comma, and thereafter the words: "and delivered."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for filing the same.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 34 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Shortridge, Ward, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

On the part of the San Francisco Delegation, Senator Wolfe asked for, and was granted, unanimous consent to withdraw Senate Bill No. 21—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Senate Bill No. 21 withdrawn and ordered stricken from the file.

Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity.

During second reading of bill the following substitute was submitted by committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 56.

An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. A new section is hereby added to the Political Code to be known as Section 1696a and to read as follows:

1696a. Whenever the school register or registers of any teacher or teachers or other records of any public school district in any school year may have been or shall hereafter be destroyed by conflagration or other public calamity, thereby preventing the teacher or teachers and school officers from making their monthly or annual reports in the usual manner and with accuracy the affidavits of the teacher or teachers, the school principals or other school officers of such school district certifying as to the contents of such destroyed registers or other records shall be accepted by all authorities for all school matters appertaining to such school district, except that of average daily attendance. The average daily school attendance of any public school district or high school whereof the register or registers of the teacher or teachers or any number of them or other records may have been or shall hereafter be destroyed by conflagration or other public calamity shall be its average daily attendance of the next preceding school year increased or diminished by the average yearly percentage of increase or decrease calculated for the next preceding ten years; *provided*, that the average daily attendance of such school district or high school for the school year ending June 30, 1906, shall be its average daily attendance for the school year ending June 30, 1905, with three per cent. (3%) thereof as increase added thereto.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 74 passed by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 43 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 73—An Act to provide for the selection, location, acquisition, and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment, and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Bill read second time and considered engrossed.

Read third time.

Senator Lukens moved to refer to Senator Curtin as a special committee of one to amend as follows:

By striking out of Section 5, page 3, line 1, the words and figures "five hundred thousand (\$500,000)," and inserting in lieu thereof the following: "seven hundred and fifty thousand (\$750,000)."

Motion lost.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 73 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—32.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 36 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of

teachers' certificates lost or destroyed by conflagration or other public calamity.

During second reading of bill, the following amendments were submitted by the committee:

On page 1, Section 1, line 10, of the printed bill, after the word "upon" strike out the word "satisfactory."

Amendment adopted.

On page 1, Section 1, line 10, of the printed bill, after the word "proof" and before the word "of," insert the words "to the satisfaction of such superintendent."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

INTRODUCTION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

The following concurrent resolution was introduced by Senator Shortridge: Senate Concurrent Resolution No. 1—Relative to the cession of Yerba Buena Island to the State of California.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES (OUT OF ORDER).

The following reports of standing committees were received and read:

ON REVENUE AND TAXATION.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Revenue and Taxation, to whom was referred Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—have had the same under consideration, and respectfully report the same back, and recommend that it be adopted as amended.

WARD, Chairman.

Assembly Constitutional Amendment No. 3 ordered on file.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bill correctly engrossed:

Committee Substitute for Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

KEANE, Chairman.

Committee Substitute for Senate Bill No. 56 ordered on file for third reading.

ON COMMERCE AND NAVIGATION.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Commerce and Navigation, to whom was referred Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners—have had the same under consideration, and respectfully report the same back and recommend that it do pass as amended.

WELCH, Chairman.

Senate Bill No. 61 ordered on file for second reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUKENS, Chairman.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

LUKENS, Chairman.

Also signed by Senators Anderson, Bauer, Broughton, Carter, Curtin, Hahn, Irish, Keane, Mucnter, Pendleton, Savage, Simpson, Shortridge, and Wolfe.

Assembly Bill No. 27 ordered on file for second reading.

Senate Bill No. 77 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution by Senator Lynch:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Senate, and the State Treasurer is hereby authorized to pay the same, for the sum of three hundred and thirty-nine and seventy one-hundredths (\$339.70) dollars in favor of J. Louis Martin, Sergeant-at-Arms of the Senate, the same being for the payment of the following bills attached, for the preparation of the Senate Chamber for the thirty-sixth (extra) session, viz:

Labor	\$119 00
Varnishing	9 25
Relaying carpet, etc.	45 00
Locksmithing	32 65
James McNeil, labor	13 50
Drayage	88 00
Repairing electrical fixtures	32 30
Total	\$339 70

Have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

WOLFE, Chairman.

Senator Wolfe moved that the report and resolution be now adopted.
Motion carried.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Also: Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906.

Also: Senate Bill No. 68—An Act appropriating forty-five hundred (\$4500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Also: Senate Bill No. 76—An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass as amended.

Also: Senate Bill No. 60—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions and officers, and directing the disposition of the same," approved March 17, 1880—have had the same under consideration, and respectfully report the same back and recommend that Finance Committee substitute for Senate Bill No. 60 do pass.

BELSHAW, Chairman.

Senate Bills Nos. 70, 71, 57, 65, 68, 76, and 60 ordered on file for second reading.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed:

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

KEANE, Chairman.

Senate Bills Nos. 59, 41, 42, and 38 ordered on file for third reading.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Also: Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Have had the same under consideration, and respectfully report the same back with the recommendation that they do pass.

Also: Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending section eight of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature—report the same back, amended by the committee, and recommend that Senate proposed Constitutional Amendment No. 2 be amended, and as amended be adopted.

Also: Senate Bill No. 79—An Act to add a new section to the Civil Code to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity—have had the same under consideration and respectfully report the same back, with the recommendation that it do pass.

Also: Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to the records, books, bonds and certificates of stock of corporations which have been lost or destroyed by conflagration or other public calamity—have had the same under consideration, and respectfully report that a committee substitute for Senate Bill No. 69 has been adopted, and recommend that the committee substitute do pass.

LUKENS, Chairman.

Senate Bills Nos. 40, 72, 79, and 69 ordered on file for second reading.
Senate Constitutional Amendment No. 2 ordered on file.

ON EDUCATION.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Education, to whom was referred Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California by amending Section 18 thereof, relating to the power of counties, cities and counties, towns, townships, boards of education, and school districts, to incur indebtedness—have had the same under consideration, and respectfully report the same back, and a majority recommend that it do pass as amended.

ROWELL, Chairman.

Senate Constitutional Amendment No. 12 ordered on file.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Secretary of the Senate, for the sum of three hundred and fifty-eight and five one hundredths (\$358.05) dollars, in payment of bills hereto attached, and the Treasurer is directed to pay the same.

H. S. Crocker Company	\$139 80
H. E. Sleeper	7 75
J. W. Deal & Co.	80 50
Geo. C. Bornemann Co.	130 00
	<hr/>
	\$358 05

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

WOLFE, Chairman.

Senator Wolfe moved that the report and resolution be read and adopted.

Motion carried.

CASES OF URGENCY.

On motion of Senator Leavitt, the following bills were taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 59 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Markey, Mattos, McKee,

Muenter, Nelson, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 41 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 42 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, McKee, Muenter, Nelson, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 38 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, McKee, Muenter, Nelson, Rambo, Rowell, Sanford, Shortridge, Simpson, Ward, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration or other public calamity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 56 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, Muentner, Nelson, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Senator Belshaw: Senate Concurrent Resolution No. 2—Relative to final adjournment.

MOTION.

Senator Belshaw moved that Senate Concurrent Resolution No. 2 be now considered.

Motion carried.

SENATE CONCURRENT RESOLUTION No. 2.

Resolved by the Senate, the Assembly concurring, That the two houses adjourn *sine die* at ten o'clock P. M. on Saturday June 9th, 1906.

Resolution read and adopted.

QUESTION OF PERSONAL PRIVILEGE.

Senator Shortridge arose to a question of personal privilege, taking exception to the language of the Sacramento Union in alluding to the adoption of the resolution by the Senate for contingent expenses as a "steal," and read the provisions of the Constitution of the State of California showing that each member shall receive not to exceed the sum of twenty-five dollars for contingent expenses.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Lukens moved that Senate Bill No. 69 be taken up for purpose of amendment and second reading.

So ordered.

Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations which have been lost or destroyed by conflagration or other public calamity.

During second reading of bill the following substitute was submitted by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL No. 69.

An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

The People of the State of California, represented in Senate and Assembly, do enact as follows:
SECTION 1. A new section is hereby added to the Civil Code of the State of California, to be known as and numbered Section 365, to read as follows:

365. Whenever it shall appear that the minutes, records, seal, assessment book, stock journal, stock ledger, certificate book, certificate of stock or bonds or other papers or records of any corporation, municipal, quasi or otherwise, in this State, shall have been or shall hereafter be lost or destroyed by conflagration or other public calamity, such corporation, by a vote of its board of directors, or any stockholder or bondholder

of such corporation, may petition the Superior Court of the county, or city and county, in which the principal place of business of such corporation is located, to restore such lost, destroyed, or injured minutes, records, seal assessment book, stock journal, stock ledger, certificate book, certificate of stock or bonds or other papers or records. Such petition shall state the loss, destruction or injury to any such records or documents or certificates of stock, or bonds, or other papers or records, or any part or portion thereof, giving the cause of such loss, injury or destruction. On the filing of such petition, duly verified, said Superior Court shall make an order, fixing a time and place for the hearing of the same, and directing the clerk of the court to give notice of such hearing by publication of a notice stating the time and place of the hearing of said petition and the purpose thereof, which time shall not be less than twenty-five nor more than thirty days from the completion of such publication. Notice of such hearing shall be given by publication in some newspaper of general circulation, printed and published in such county, or city and county, where the principal place of business of said corporation is located, and if there be no such newspaper published in said county, or city and county, then in some adjoining county, to be designated by the court or judge thereof, which publication shall be daily (except Sundays) for a period of at least three successive weeks. In case there is no daily newspaper published in either of said counties then such notice shall be published once a week for three successive weeks in a weekly newspaper published in such county. A copy of said notice shall also be personally served upon all persons affected thereby residing in the State of California, whose place of residence or place of business is known to the corporation or any of its officers, if such person can be found within the State, which service may be made at any time during said period of publication. If the place of business or place of residence of any persons affected by said petition or proceeding is unknown to the corporation or any of its officers, within forty-eight hours after the filing of said petition, a copy of said notice shall be mailed to each of the persons affected by said petition or proceeding whose place of residence or place of business is unknown to said corporation or any of its officers, addressed to them, postage prepaid, at the county seat of the county, or county and city, where the place of business of said corporation is located. In addition to the notice by publication, the petitioner shall address a copy of said notice to each of the stockholders of said corporation, and also to each of the persons affected by said petition, whose names and places of residence or business are known to the corporation or any of its officers, at his place of business or residence, postage prepaid, which notice shall be mailed to such stockholders or persons within forty-eight hours after the filing of said petition. The court before proceeding to hear the case, shall require proof to be made that notice has been published and given as hereinbefore required, and service of such notice personally if the same has been so served, and if the same has not been so served, an affidavit of the petitioner, stating the reasons why such personal service has not been made, shall also be then filed. Upon the completion of said publication, said court shall have jurisdiction to inquire into and determine the loss, injury or destruction of such minutes, records, seal, assessment book, stock journal, stock ledger, certificate book, certificates of stock or bonds, or other papers and documents, and to fix and determine by its judgment or decree, the ownership of said certificates of stock or bonds and the persons entitled thereto, and to direct such corporation to restore its records, seal, assessment book, stock journal, stock ledger, certificate book, certificates of stock or bonds, or any other paper or record so lost, injured or destroyed, and to issue new bonds or certificates of stock or other paper or document to any person or persons to whom the same may belong or who may be entitled thereto, as determined by the judgment of the court. Any stock, bond or other paper, the ownership of which cannot be determined, shall be found by the court, by its judgment, to belong to unknown owners, and in all proceedings of such corporations including proceedings for assessment of stock, and the collection of such assessment, and the payment of dividends, and notice of sale and sale for delinquent assessments, said stock or dividends shall be so designated as belonging to unknown owners, without giving the name of the owner thereof or the number of the certificate or series or issue.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time and ordered to print, engrossment, and third reading.

ADJOURNMENT.

At nine o'clock and ten minutes P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Friday, June 8, 1906. }

Pursuant to adjournment, the Senate met at ten o'clock A. M.
Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentz, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Short, ridge, Simpson, Ward, Welch, and Wolfe—33.

Quorum present.

PRAYER.

Prayer by Rabbi Montague Cohen.

READING OF THE JOURNAL.

During the reading of the Journal of Thursday, June 7, 1906, the further reading was dispensed with, on motion of Senator Coggins.

APPROVAL OF JOURNAL.

The Journal of Wednesday, June 6, 1906, having been previously read and corrected, was approved.

COMMUNICATION.

The President directed the Secretary to read the following communication, which was ordered printed in the Journal:

MARKET STREET AND EUREKA VALLEY IMPROVEMENT CLUB.

WHEREAS, The Committee of Forty, appointed by Mayor Schmitz, of San Francisco, on rebuilding the city, laying out the streets, etc., have recommended to the Legislature, now in special session, the passage of laws contravening the charter of San Francisco, by changing or abolishing certain sections thereof, and abolishing the law providing for the taxation of mortgages; and

WHEREAS, We believe such recommendations are ill-advised and dangerous to the best interests of the people; be it, therefore,

Resolved, by the Market Street and Eureka Valley Improvement Club, That we request and respectfully urge the Honorable Senators and Assemblymen now sitting in special session to ignore such recommendations.

The above preamble and resolutions were unanimously adopted at the regular meeting of the club held June 4, 1906, and a committee appointed to prepare and forward the same.

W. A. C. SMITH,
H. E. DUBOIS,
E. B. CARR,
Committee.

R. C. CLARK, President.
C. BURGESS, Secretary.

LEAVE OF ABSENCE.

Senator Bauer was, on motion of Senator Leavitt, granted leave of absence until Saturday, June 9, 1906.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read, and was ordered printed in the Journal :

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 6, 1906.

To the Senate of the State of California :

I have the honor to inform your honorable body that I have approved Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

GEO. C. PARDEE,
Governor of the State of California.

RESOLUTIONS.

The following resolutions were offered:

By Senator Leavitt:

Resolved, That Senate Bills Nos. 19, 61, 77, 57, 65, 68, 76, 60, 70, 71, 40, and 79 and Assembly Bills Nos. 29 and 27 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Lecke, Lynch, Markey, Mattos, Muentzer, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

By Senator Anderson:

Resolved, That the Sergeant-at-Arms shall be allowed \$165 for services rendered after the close of the session for checking up and storing furniture and carpets and taking canvas from roof over Senate Chamber and performing other necessary work, and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO JUNE 8, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bill correctly engrossed: Committee Substitute for Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

KEANE, Chairman

Committee Substitute for Senate Bill No. 69 ordered on file for third reading.

CONSIDERATION OF THE DAILY FILE.

SENATE CONSTITUTIONAL AMENDMENT NO. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending article thirteen thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

The Legislature of the State of California, at its extraordinary session, commencing on the — day of June, 1906, two thirds of all the members voting in favor thereof, hereby propose that article thirteen of the Constitution of the State of California be amended by repealing section five thereof.

Article thirteen of the Constitution of the State of California is hereby amended by striking therefrom and repealing section five thereof, which section reads as follows:

SECTION 5. Every contract hereafter made, by which a debtor is obligated to pay any tax or assessment on money loaned, or on any mortgage, deed of trust, or other lien, shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

During the reading of the constitutional amendment, the following amendment was offered by Senator Sanford:

Strike out all of the language of the amendment after the word "that" in line 4 and insert the following: "Section five of article thirteen of the Constitution is hereby amended so as to read as follows:

"Section 5. Every contract hereafter made, by which a debtor is obligated to pay any tax or assessment on money loaned, or on any mortgage, deed of trust, or other lien, shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

"The operation of this section, however, is suspended for a period of five years from and after the approval and ratification hereof by the people."

Amendment lost.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 8 was adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Lukens, Lynch, Mattos, McKee, Mnenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

SPECIAL ORDER SET.

On motion of Senator Leavitt, Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—was made a special order for Saturday, June 9, 1906, at eight o'clock P. M.

Senate Bill No. 69 An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations which have been lost or destroyed by conflagration or other public calamity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 69 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Greenwell, Hahn,

Haskins, Irish, Keane, Leavitt, Leeke, Markey, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Ward, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

BILLS ORDERED STRICKEN FROM THE FILE.

Senator Lukens moved that Assembly Bill No. 48—To extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions,

Also: Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings,

Be stricken from the file.

Motion carried.

Assembly Bills Nos. 48 and 4 stricken from the file.

CASES OF URGENCY.

On motion of Senator Leavitt, the following bills were taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 29 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Sanford, Savage, Ward, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

During second reading of bill, the following amendments were submitted by the committee:

On page 5, Section 10a, line 15, of the printed bill, after the period, insert the following: "A new section is hereby added to this Act to be known as 10b, and to read as follows:

"SEC. 10b. At the time of filing a certified copy of articles of incorporation of any corporation when filed on or between the first day of July and the following first day of December in any year, there shall be paid in addition to all other fees required by law to be paid to the Secretary of State, the sum of twenty dollars, which shall be received and license receipt issued in full of the license tax payable under this Act, for the then current year."

Amendment adopted.

On page 5, Section 9, line 18 of the printed bill, after the word "imprisonment," insert the following: "A new section is hereby added to this Act to be known as 10a, and to read as follows: "

Amendment adopted.

Also: On page 5, Section 9, line 13 of the printed bill, strike out the word "September," and insert in lieu thereof the following: "November next following the delinquency."

Amendment adopted.

Also: On page 5, Section 9, line 8 of the printed bill, strike out the word "September," and insert in lieu thereof the following: "November next following the delinquency."

Amendment adopted.

Also: On page 5, Section 9, line 3 of the printed bill, strike out the word "delinquent and on line 4 the word "corporation," and insert the following: "delinquent under this Act." And in line 9 of said section strike out the word "delinquent" and after the word "corporation" add the words "so delinquent."

Amendment adopted.

Also: On page 4, Section 8, line 3 of the printed bill, strike out the words "tenth day of," and insert in lieu thereof the following: "thirty-first day of December."

Amendment adopted.

Also: On page 3, Section 6, line 14 of the printed bill, strike out the words "expiration of six months from the date of the passage of this Act," and insert in lieu thereof the following: "first day of September, 1906."

Amendment adopted.

Also: On page 3, Section 6, line 5 of the printed bill, strike out the words "at any time within six months," and insert in lieu thereof the following: "between the first day of July, 1906, and the hour of four o'clock p. m. of the first day of September, 1906."

Amendment adopted.

Also: On page 3, Section 5, line 4 of the printed bill, strike out the word "September" and insert in lieu thereof the following: "November each year."

Amendment adopted.

Also: On page 2, Section 3, line 14 of the printed bill, strike out the words "said September," and insert in lieu thereof the following: "November next following."

Amendment adopted.

Also: On page 2, Section 2, line 8 of the printed bill, strike out the word "the," and insert in lieu thereof the following: "a." And in line 12 strike out all after the word "treasury."

Amendment adopted.

On page 1, strike out of the title of the printed bill the words "a new section thereto, to be known as Section 10a," and insert in lieu thereof the following: "Two new sections thereto to be known as Sections 10a and 10b," and add to the title these words: "and providing a penalty for the violation thereof."

Amendment adopted.

By Senator Sanford :

On page 2, Section 2, line 8, strike out all after the word "therefor," and insert in lieu thereof the following:

"A graduated license tax as follows: Corporations whose capital stock is less than \$25,000, \$10; corporations whose capital stock is more than \$25,000 and less than \$50,000, \$20; corporations whose capital stock is more than \$50,000 and less than \$100,000, \$40; corporations whose capital stock is more than \$100,000 and less than \$250,000, \$100; corporations whose capital stock is more than \$250,000 and less than \$500,000, \$200; corporations whose capital stock exceeds \$1,000,000, \$500. The license tax hereby imposed shall be paid to the Secretary of State on the first Monday in July of each year."

Amendment lost.

By Senator Sanford :

On page 2, Section 2, line 8, strike out all after the word "therefor," and insert in lieu thereof the following: "A graduated license tax of one-tenth of one per cent. on the capital stock of the corporation. The license tax hereby imposed shall be paid to the Secretary of State on the first Monday in July of each year."

Amendment lost.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers, and duties of the Board of State Harbor Commissioners.

During second reading of bill the following amendment was submitted by the committee:

Provided, nevertheless, that nothing in this section contained shall be construed to prevent the Board of State Harbor Commissioners, the Governor of California, and the Mayor of the City and County of San Francisco acting together from increasing the rates of dockage, wharfage, cranage, tolls and rents during the period expiring the twenty-eighth day of February, A. D. 1907, to such an amount as they may deem proper and necessary.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

During second reading of bill, the following amendment was submitted by the committee:

On page 1, Section 1, strike out of line 5 the words "a case," and insert in lieu thereof the following: "in all cases, including cases."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 77 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Lecke, Lukens, Lynch, Markey, Mattos,

McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—29.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

During the second reading of the bill, the following amendments were submitted by the committee:

On page 1, amend the title by striking out the words "The people of the State of California, represented in the Senate and Assembly, do enact the following:" and insert in lieu thereof the following: "The people of the State of California, represented in Senate and Assembly, do enact as follows:"

Amendment adopted.

Also: Strike out all of section two, and insert in lieu thereof the following: "There is hereby appropriated for said purposes, out of any moneys in the State Treasury not otherwise appropriated, the sum of one hundred thousand (\$100,000) dollars and the State Controller and the State Treasurer are hereby directed to transfer said sum from the General Fund to the San Francisco Harbor Improvement Fund."

Amendment adopted.

Also: Strike out all of Section 3, and renumber Section 4 Section 3.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906.

During second reading of bill, the following amendments were submitted by the committee:

On page 1, Section 1, line 1, of the printed bill, strike out the word "five," and insert in lieu thereof the following: "four."

Amendment adopted.

Also: On page 1, Section 1, line 2, of the printed bill, strike out the figure "5," and insert in lieu thereof the following: "4."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 68—An Act appropriating forty-five hundred (\$4500.00) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

During second reading of bill, the following amendments were submitted by the committee:

Amend the title by striking out the words and figures "forty-five (45)" and inserting in lieu thereof the following: "twenty-five (25)."

Amendment adopted.

Also: On page 1, Section 1, line 3, of the printed bill, strike out the word "forty," and insert in lieu thereof the following: "twenty."

Amendment adopted.

Also: In line 4, Section 1 of the printed bill, strike out the figure "4" and insert in lieu thereof the figure "2."

Amendment adopted.

Also: Strike out section three, and renumber section four section three.

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 76—An Act appropriating \$4,500 to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

During second reading of bill, the following amendments were submitted by the committee:

Amend the title by striking out the words and figures "forty-five (45)," and insert in lieu thereof the following: "twenty-five (25)."

Amendment adopted.

Also: On page 1, Section 1, line 4 of the printed bill, strike out the words and figures "forty-five (45)," and insert in lieu thereof the following: "twenty-five (25)."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 60—An Act to amend an Act entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions and officers, and directing the disposition of the same," approved March 17, 1899.

During second reading of bill, the following substitute was submitted by the committee:

COMMITTEE SUBSTITUTE FOR SENATE BILL NO. 60.

An Act to amend an Act entitled "An Act to amend section one of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March seventeenth, eighteen hundred and ninety-nine," approved March 20, 1905.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Section one of the said Act is hereby amended so as to read as follows:

Section 1. All moneys belonging to the State received from any source whatever by any officer, commission or commissioner, board of trustees, board of managers or board of directors shall be accounted for at the close of each month to the State Controller, in such form as the Controller may prescribe, and at the same time, on the order of the Controller, be paid into the State Treasury; *provided*, in the case of any State hospital, asylum, prison, school or harbor, supported by or under control of the State said money shall be credited to a fund to be known as the contingent fund of the particular institution from which such money is received, and may be expended under the same laws and provisions that govern the expenditure of money appropriated for the support of such institutions; *and provided*, that in every case where the law directs the board of trustees, managers or directors, or officer to refund any money upon the death or discharge of any inmate of said hospital, asylum, prison, school or other institution, or to provide a discharged inmate with any sum of money or with wearing apparel, such amount of money necessary shall be paid by the board of trustees, managers or directors or officer, upon demand; and in the statement to the Controller herein provided for, these amounts shall be itemized and the aggregate deducted

from the amount to be paid into the State Treasury; *provided, further*, that all money collected by boards of harbor commissioners shall be paid into the harbor improvement fund of the respective harbor where collected, except so much thereof as may be necessary to pay the expense of urgent repairs, not to exceed in the aggregate ten thousand dollars per month, which sum, if so much be required, may be used in repairing the wharves, piers, landings, thoroughfares, sheds and other structures, and the streets bounding on the waterfront under the jurisdiction of such board of harbor commissioners, without advertising the proposals therefor.

SEC. 2. This Act shall take effect immediately.

Substitute read and adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 70 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Rambo, Rush, Savage, Simpson, Ward, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 71 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 40 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Rowell, Rush, Shortridge, Simpson, Ward, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares

in corporations, associations, and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 72 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Greenwell, Hahn, Haskins, Keane, Lecke, Lukens, Lynch, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 79—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 79 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Haskins, Leavitt, Lecke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rush, Sanford, Savage, Shortridge, Ward, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

HOURLY SET FOR RECONVENING.

Senator Belshaw moved that when the Senate takes a recess that it do so until three o'clock and thirty minutes P. M. of this day.

Motion carried.

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

During the reading of the constitutional amendment, the following amendments were submitted by the committee:

COMMITTEE AMENDMENT NO. 1.

On page 1, line 6, of the printed copy, strike out the words "so as to read as follows," and insert in lieu thereof the following: "by adding to said section the following:"

Amendment adopted.

COMMITTEE AMENDMENT NO. 2.

Strike out, on page 1 of the printed copy, lines 7 to 18 inclusive.

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Strike out all of page 2 of the printed copy.

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

Strike out lines 57 and 58 of page 3 of the printed copy.

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

Strike out the words "to others provided that" on line 59, page 3, of the printed copy.

Amendment adopted.

COMMITTEE AMENDMENT No. 6.

Commence word "in," line 59, page 3, of the printed copy, with capital "I."

Amendment adopted.

COMMITTEE AMENDMENT No. 7.

In line 62, page 3, of the printed copy, strike out "and" after word "county," and insert in lieu thereof the word "or."

Amendment adopted.

COMMITTEE AMENDMENT No. 8.

In line 76, page 3, of the printed copy, strike out word "of" after word "San Francisco," and in lieu thereof insert "or."

Amendment adopted.

Constitutional amendment ordered to print.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

During the reading of the constitutional amendment, the following amendment was submitted by the committee:

Amend by inserting the words "and the City of San Jose" after the word "San Francisco" and before the word "may" in the seventh line of the last page of the printed bill.

Amendment adopted.

The following amendment was offered:

By Senator Mattos:

On page 2, Section 18, lines 24 and 25, strike out the words "one hundred," and insert in lieu thereof the following: "seventy."

Amendment lost.

Constitutional amendment ordered to print.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Also: Assembly Concurrent Resolution No. 4.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 74 ordered to enrollment.

Assembly Bill No. 75 read first time, and on motion of Senator Belshaw was ordered on file without reference to committee.

Assembly Concurrent Resolution No. 4 referred to Committee on Judiciary.

RESOLUTION.

The following resolution was offered:

By Senator Belshaw:

Resolved, That Assembly Bill No. 75 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—32.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 75 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At twelve o'clock and ten minutes P. M., on motion of Senator Wolfe, the Senate was declared at recess.

RECONVENED.

At three o'clock and thirty minutes P. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MOTION TO RECONSIDER.

Senator Leavitt moved that the vote whereby the following amendment to Assembly Bill No. 27 was this day adopted be now reconsidered:

On page 1, Section 1, strike out of line 5 the words "a case," and insert in lieu thereof the following: "in all cases, including cases."

Motion carried.

The question being on the adoption of the amendment.

The same was lost.

MOTION.

Senator Leavitt moved that the bill be now read the third time under the resolution, suspending the Constitution, adopted this day.

Motion carried.

Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read second time this day, and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 27 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Leavitt, Leeke, Lukeus, Lynch, Markey, Mattos, Muenter, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, and Ward—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Belshaw, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in the San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Also: Assembly Concurrent Resolution No. 5—Relative to printing the laws, amendments to the codes, and proposed constitutional amendments for free distribution by the Secretary of State.

Also: Amended, and passed as amended, Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California, relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the city of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof, and to authorize and direct the Secretary of State to countersign and make delivery of the same to the United States of America—and respectfully request that your honorable body concur in the amendments.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 42 ordered to enrollment.

Assembly Concurrent Resolution No. 5 referred to Committee on Finance.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Bill No. 5?"

On page 2, Section 1, line 15, by inserting after the comma, immediately following the word "America," the following: "all its right, title and interest to."

Also: On page 2, Section 1, line 16, by striking out the words "or by" at the end of said line and inserting in lieu thereof a comma.

Also: On page 2, Section 1, line 17, by inserting after the word "condemnation," the following: "or otherwise."

Also: On page 2, Section 2, line 5, by inserting after the word "directed," the following: "on behalf of the State of California."

Also: On page 3, Section 3, line 33, by striking out the semicolon after the word "grant," and inserting in lieu thereof a comma.

Also: On page 3, Section 3, line 38, by striking out the semicolon after the word "grant," and inserting in lieu thereof a comma.

Also: On page 5, Section 3, line 103, by striking out after the word "channel," the word "and," and inserting in lieu thereof the following: "which is."

Also: On page 6, Section 3, line 117, by striking out after the word "fect," the semicolon.

Amendments adopted.

Also: On page 6, Section 3, line 128½, by striking out after the word "feet," the semicolon.

Amendment adopted.

Also: On page 6, Section 3, line 140, by striking out the figures "614½," and inserting in lieu thereof the following: "614.5."

Amendment adopted.

Also: On page 6, Section 3, line 145, by striking out the figures "857½," and inserting in lieu thereof the following: "857.5."

Amendment adopted.

Also: On page 7, Section 4, line 6, by inserting after the word "directed," the following: "on behalf of the State of California."

Amendment adopted.

The roll was called, and the Assembly amendments to Senate Bill No. 5 concurred in by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Greenwell, Hahn, Haskins, Irish, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muentner, Pendleton, Ralston, Rambo, Rowell, Sanford, Savage, Shortridge, Ward, and Wolfe—25.

NOES—None.

Senate Bill No. 5 ordered to enrollment.

RECESS.

At three o'clock and fifty minutes P. M., on motion of Senator Belshaw, the Senate was declared at recess for fifteen minutes.

RECONVENED.

At four o'clock and five minutes P. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised—respectfully report the same back amended by your committee, and recommend that as amended it do pass.

Also: Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity—respectfully report the same back, and recommend that the same do pass.

LUKENS, Chairman.

Senate Bill No. 78 and Assembly Bill No. 12 ordered on file for second reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Lukens, Senate Bill No. 78 was taken up for purpose of amendment and second reading.

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.

During second reading of bill, the following amendment was submitted by committee:

On page 1, Section 1, line 11 of the printed bill, insert between the words "other" and "uses" the word "public."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered by Senator Lukens:

Resolved, That Assembly Bill No. 12 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rowell, Rush, Savage, Shortridge, Ward, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 12 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Muentzer, Nelson, Pendleton, Ralston, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and report that the same has been correctly enrolled, and that it was presented to the Governor at three o'clock and twenty minutes P. M. on this eighth day of June, 1906.

KEANE, Chairman.

RESOLUTIONS—(OUT OF ORDER).

The following resolution was offered by Senator Leavitt:

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant upon the Contingent Fund of the Senate, for the sum of twenty-five (\$25.00) dollars in favor of J. G. McCall, for services in preparing and mailing copies of the chapters of all bills signed by the Governor at the close of this special session, and the Treasurer is directed to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.
By Senator Simpson:

Resolved, That the Sergeant-at-Arms be and he is hereby directed to send four sets of chapters of statutes to each Senator by mail, immediately after the same are printed.

Resolution read, and referred to Committee on Contingent Expenses.

RECESS.

At four o'clock and twenty minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

LEAVE OF ABSENCE.

Senator Savage was, on motion of Senator Belshaw, granted leave of absence for the day.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Senate Bill No. 68—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May and June, 1906.

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California, situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Also, the following Senate Constitutional Amendments:

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

KEANE, Chairman.

Senate Bills Nos. 61, 68, 65, and 57 ordered on file for third reading.
Senate Constitutional Amendments Nos. 2 and 12 ordered on file.

CASES OF URGENCY.

On motion of Senator Leavitt, the following bills were taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 57 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Sanford, Ward, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 65 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynah, Markey, Mattos, McKee, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 68—An Act appropriating forty-five hundred (\$4500.00) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 68 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Mattos, McKee, Muenster, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers, and duties of the Board of State Harbor Commissioners.

Passed on file, on motion of Senator Anderson.

SENATE CONSTITUTIONAL AMENDMENT No 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that section eight of article eleven of the Constitution of the State of California be amended by adding to said section the following:

In the City and County of San Francisco and in the City of San José, for and during the period of two years from the date of the adoption of this amendment, the charter of said city and county or city may be amended at any time or times by proposal or proposals therefor, submitted by the legislative authority of the said city and county or city to the qualified electors thereof, at a general or special election held at least five days after the publication of such proposal or proposals for ten days in a daily newspaper of general circulation in said city and county or city and ratified by a majority of the qualified voters voting thereon; which amendment or amendments when so ratified by such vote shall immediately and without subsequent approval by the Legislature become and be in full force and effect, and all acts, proceedings, matters or things done, taken, adopted or performed by any public board, officer, or by any individual or person under such ratified amendments of the charter of the said City and County of San Francisco or City of San José shall be forever as valid and effective as though such amendment or amendments to said charter had been approved by the Legislature.

Senate Constitutional Amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

Time, eight o'clock and thirty-five minutes P. M.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenster, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, and Wolfe—28.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eight o'clock and forty-five minutes P. M., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The roll of absentees was called.

Whereupon the President announced that Senate Constitutional Amendment No. 2 was adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Shortridge, Ward, and Wolfe—27.
NOES—Senator Rowell—1.

Constitutional Amendment No. 2 ordered transmitted to the Assembly.

SPECIAL ORDER SET.

During the discussion of the merits of Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts to incur indebtedness—Senator Wolfe moved that the further consideration of the constitutional amendment be made a special order for Saturday, June 9, 1906, at eleven o'clock A. M.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 66—An Act declaring that no contract entered into during holidays from the 19th day of April, 1906, to the 3rd day of June, 1906, shall be held invalid by reason of being entered into on any of such holidays, nor by reason of having been entered into prematurely on account of such holidays, and ratifying and confirming all such contracts entered into in which one of the parties to the same is a public officer—respectfully report the same back, with recommendation it do not pass.

Also: Senate Bill No. 29—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein—have had the same under consideration and respectfully report the same back with committee amendments, and recommend that it do pass as amended.

Also: Senate Constitutional Amendment No. 9—Proposed amendment to Article IV section thirty-one of the Constitution of the State of California relating to the power of the Legislature to make or authorize the making of any gift of any public money or thing of value to any individual in this or other corporation—respectfully report the same back, with recommendation that Senate Constitutional Amendment No. 9 be adopted.

Also: Senate Constitutional Amendment No. 10—Proposed amendment to Article XVI of the Constitution, relative to State indebtedness—respectfully report the same back, with recommendation that Senate Constitutional Amendment No. 10 be adopted.

LUKENS, Chairman.

Senate Bills Nos. 66 and 29 ordered on file for second reading.

Senate Constitutional Amendments Nos. 9 and 10 ordered on file.

CONSIDERATION OF BILL—(OUT OF ORDER).

Senator Lukens moved that Senate Bill No. 29 be taken up for amendment and second reading.

Motion carried.

Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

During second reading of bill, the following amendments were submitted by the committee :

On page 1, lines 5 and 6 of the printed bill, strike out the words "the recorder of any county, or city and county, of this State," and insert in lieu thereof the following: "Whenever any record of any instrument has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity, the recorder of such county, or city and county."

Amendment adopted.

On page 1 of the printed bill, strike out the comma at the end of line 6, and on line 7 strike out the following words: "when presented to him for record."

Amendment adopted.

On page 1, Section 1 of the printed bill, strike out on lines 10 to 14 inclusive, the words: "In recording the same, the recorder shall record the certificate of the previous record, and the date appearing in such certificate as the date of recording the previous record shall be deemed and taken as the date of the recording of such instrument," and insert in lieu thereof the following: "In recording the same, the recorder shall record all certificates attached thereto and all endorsements thereon, and if any of such certificates or endorsements show the previous recording of the same in the county, or city and county, where said instrument is presented for record, the date appearing in such certificate or instrument of such record shall be deemed and taken as the date of the recording thereof in said county, or city and county, where said instrument is presented for record."

Amendment adopted.

On page 2, line 20, of the printed bill, after the words "Subdivision 2," strike out the words "The recorder of any county, or city and county of this State," and insert in lieu thereof the following: "Whenever any record of any instrument has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity, the recorder of such county, or city and county."

Amendment adopted.

On page 2, line 28, of the printed bill, after the word "thereto" insert the following: "or endorsements thereon."

Amendment adopted.

On page 2, line 29 of the printed bill, after the word "certificates," insert the following: "or endorsements."

Amendment adopted.

On line 29, page 2 of the printed bill, strike out the word "shows" and insert in lieu thereof the word "show."

Amendment adopted.

On page 2, line 32 of the printed bill, after the word "certificate," insert the following: "or endorsement."

Amendment adopted.

On page 1 of the printed bill, strike out the period at the end of the last line thereof, and insert in lieu thereof a comma and the following words: "the record of which has been, or shall hereafter be, lost, injured, or destroyed by conflagration or other public calamity."

Amendment adopted.

Bill read second time, and ordered to print, engrossment, and third reading.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Belshaw, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day amended, and passed as a case of urgency, Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital and making an appropriation therefor.

Also: Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor.

Also: Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital and making an appropriation therefor.

Also: Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José and making an appropriation therefor.

And respectfully ask your honorable body to concur in the same.

Also: Passed, as a case of urgency, Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

CLIO LLOYD, Chief Clerk of the Assembly.

By C. W. THOMPSON, Assistant Clerk.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Bill No. 43?"

Amend Section 1, on line 2, page 1, printed bill, after the word "dollars" by inserting the following: "or so much thereof as may be necessary."

The roll was called, and the Assembly amendment to Senate Bill No. 43 concurred in by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rowell, Rush, Shortridge, Ward, and Wolfe—25.

NOES—None.

Senate Bill No. 43 ordered to enrollment.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Bill No. 46?"

Amend Section 1, on line 2, page 1, printed bill, after the word "dollars," by inserting the following: "or so much thereof as may be necessary."

The roll was called, and the Assembly amendment to Senate Bill No. 46 concurred in by the following vote:

AYES—Senators Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Nelson, Pendleton, Ralston, Rowell, Rush, Shortridge, Ward, and Wolfe—22.

NOES—None.

Senate Bill No. 46 ordered to enrollment.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Bill No. 62?"

Amend Section 1, on line 2, page 1, printed bill, after the word "dollars," by inserting the following: "or so much thereof as may be necessary."

The roll was called, and the Assembly amendment to Senate Bill No. 62 concurred in by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Ralston, Rowell, Rush, Shortridge, Ward, and Wolfe—23.

NOES—None.

Senate Bill No. 62 ordered to enrollment.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Bill No. 67?"

Amend Section 1, on line 1, page 1, printed bill, after the word "dollars," by inserting the following: "or so much thereof as may be necessary."

The roll was called, and the Assembly amendment to Senate Bill No. 67 concurred in by the following vote:

AYES—Senators Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Shortridge, Ward, and Wolfe—24.

NOES—None.

Senate Bill No. 67 ordered to enrollment.

Assembly Bill No. 80 read first time, and on motion of Senator Belshaw ordered on file without reference to committee.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Belshaw:

Resolved, That Assembly Bill No. 80 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

The question being on the adoption of the resolution.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

Time, nine o'clock and 30 minutes P. M.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, and Wolfe—26.

The Secretary announced the absentees.

The Sergeant-at-Arms, having been furnished with the names of the absentees, was directed to bring them to the bar of the Senate.

At nine o'clock and fifty minutes P. M. Senator Welch was brought before the bar of the Senate, and on motion of Senator Wolfe was excused for being absent from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At nine o'clock and fifty-two minutes P. M., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The roll was called.

Whereupon the President announced Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, Welch, and Wolfe—27.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 80 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, Welch, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR PENDLETON IN THE CHAIR.

At nine o'clock and fifty-five minutes P. M., Senator Pendleton, of the Thirty-eighth District, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed:

Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

KEANE, Chairman.

Senate Bills Nos. 19 and 76 ordered on file for third reading.

CASES OF URGENCY.

On motion of Senator Leavitt, the following bills were taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 19 passed by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Curtin, Hahn, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Shortridge, Ward, Welch, and Wolfe—23.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500.00) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 76 passed by the following vote:

AYES—Senators Anderson, Belshaw, Coggins, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, Welch, and Wolfe—22.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

ADJOURNMENT.

At ten o'clock P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,
Saturday, June 9, 1906. }

Pursuant to adjournment, the Senate met at eleven o'clock A. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—33.

Quorum present.

PRAYER.

Prayer by Rev. W. S. Hoskinson.

READING OF THE JOURNAL.

During the reading of the Journal of Friday, June 8, 1906, the further reading was dispensed with, on motion of Senator Anderson.

APPROVAL OF JOURNAL.

The Journal of Thursday, June 7, 1906, having been previously read and corrected, was approved.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bills correctly engrossed:

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.

Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

KEANE, Chairman.

Senate Bill No. 78 ordered on file for third reading.

Committee Substitute for Senate Bill No. 60 ordered on file for third reading.

INTRODUCTION OF SENATE CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

The following amendment was introduced:

By Senator Markey: Senate Constitutional Amendment No. 13—Resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending Section 19 thereof, relating to the use of streets, pipes and conduits for water and artificial light.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE—THIRD READING OF BILLS.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers, and duties of the Board of State Harbor Commissioners.

The President put the question, "Shall the bill be read a third time?"

POINT OF ORDER.

Senator Savage made the point of order that the bill does not come within the call of the Governor for this extraordinary session of the Legislature.

The President ordered the bill passed on file until he could determine whether or not the point of order was well taken.

SENATOR LEAVITT IN THE CHAIR.

At eleven o'clock and twenty-five minutes A. M., State Senator Frank W. Leavitt, of the Sixteenth District, in the chair.

THIRD READING OF BILLS—(RESUMED).

Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging

to the State received by the various State institutions, commissions, and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Read third time.

The question being on the passage of the bill.

The roll was called, and Committee Substitute for Senate Bill No. 60 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Lecke, Lukens, Lynch, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

WITHDRAWAL OF BILL.

Senator Ward asked for, and was granted, unanimous consent to withdraw Senate Bill No. 66—An Act declaring that no contract entered into during holidays from the 19th day of April, 1906, to the 3d day of June, 1906, shall be held invalid by reason of being entered into on any of such holidays, nor by reason of having been entered into prematurely on account of such holidays, and ratifying and confirming all such contracts entered into in which one of the parties to the same is a public officer.

Senate Bill No. 66 withdrawn and ordered stricken from the file.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Joint Resolution No. 1—Relative to the cession of Yerba Buena Island to the State of California—respectfully report the same back with recommendation that it do pass.

LUKENS, Chairman.

Senate Joint Resolution No. 1 ordered on file.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

Senator Shortridge moved that Senate Joint Resolution No. 1 be now considered.

Motion carried.

Senate Joint Resolution No. 1—Relative to the cession of Yerba Buena Island to the State of California.

During the reading of the joint resolution, the following amendments were offered:

By Senator Belshaw:

Strike out in line 17 of printed resolution the word "wire," and insert in lieu thereof the word "mail."

Amendment adopted.

By Senator Pendleton:

Amend by striking out all after the word "States" in line 20 and inserting a period after the word "States."

Amendment adopted.

Joint resolution ordered to print.

CONSIDERATION OF SPECIAL ORDER.

The hour having arrived for the consideration of the special order heretofore set, being the consideration of Senate Constitutional Amendment No. 12, the same was taken up.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

During the reading of the constitutional amendment, the following amendments were offered:

By Senator Mattos:

On page 2, Section 18, line 25, strike out the words "one hundred," and insert in lieu thereof the following: "seventy-one."

Senator Carter moved to amend the amendment as follows:

Strike out the word "seventy-one" and insert in lieu thereof the word "seventy-five."

Amendment to the amendment adopted.

Amendment as amended adopted.

Constitutional amendment ordered to print.

PRESIDENT ANDERSON IN THE CHAIR.

At eleven o'clock and ten minutes A. M., Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read :

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Concurrent Resolution No. 5—Relative to printing the laws, code amendments, constitutional amendments, and for free distribution of the same by the Secretary of State—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BELSHAW, Chairman.

Assembly Concurrent Resolution No. 5 ordered on file.

CONSIDERATION OF CONCURRENT RESOLUTION—(OUT OF ORDER).

Senator Belshaw moved that Assembly Concurrent Resolution No. 5 be now taken up for consideration.

Motion carried.

Assembly Concurrent Resolution No. 5—Relative to printing the laws, code amendments, constitutional amendments, and for free distribution of the same by the Secretary of State.

During the reading of concurrent resolution, the following amendment was submitted by committee:

Amend by inserting after the words "Secretary of State for free distribution" in the resolution the following: "twenty of which said copies he shall send to each member of the Senate and Assembly."

Amendment adopted.

Concurrent resolution ordered to print.

POINT OF ORDER NOT WELL TAKEN.

In deciding the point of order made this day by Senator Savage, to the effect that Senate Bill No. 61 was not within the call by the Governor for this extraordinary session, the President held that the bill was within the call of the Governor, and that therefore the point of order was not well taken.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 61 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Shortridge, Ward, Welch, and Wolfe—31.

NOES—Senator Savage—1.

Title read and approved.

Bill ordered transmitted to the Assembly.

Senate Constitutional Amendment No. 10—Proposed amendment to Article XVI of the Constitution relative to State indebtedness.

On motion of Senator Lukens, Senate Constitutional Amendment No. 10 was re-referred to Committee on Judiciary.

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Read third time.

Senator Simpson moved to refer Senate Bill No. 78 to Senator Lukens, as a special committee of one, to amend as follows:

Insert in Section 1, page 3, line 75, after the words "business of," the following: "searching public records or publishing public records or."

Motion carried.

REPORT OF SPECIAL COMMITTEE OF ONE.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your special committee of one, to whom was referred Senate Bill No. 78, with instructions to amend, respectfully reports the same back, amended as per instructions.

LUKENS, Committee.

Report of special committee of one and amendment adopted.

Senator Leavitt moved to refer Senate Bill No. 78 to Senator Curtin, as a special committee of one, to amend as follows:

Insert on line 74, after the word "plants," the words "or any parts thereof or any record therein."

Senator Carter moved that the bill and amendments be re-referred to Committee on Judiciary.

Motion carried.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The following report of standing committee was received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Constitutional Amendment No. 10, Proposed amendment to Article XVI of the Constitution, relative to State indebtedness—respectfully report the same back with the recommendation that it be adopted.

LUKENS, Chairman.

Senate Constitutional Amendment No. 10 ordered on file.

CONSTITUTIONAL AMENDMENT RE-REFERRED TO COMMITTEE.

Senate Constitutional Amendment No. 10—Proposed amendment to Article XVI of the Constitution, relative to State indebtedness.

During the reading of the constitutional amendment, Senator Wolfe moved that the same be re-referred to Committee on Judiciary.

Motion carried.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following bill correctly engrossed:

Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein, the record of which has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity.

KEANE, Chairman.

Senate Bill No. 29 ordered on file for third reading:

Also:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following Senate bills:

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California relating to such matters, for the purpose of the construction and completion of such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof, and to authorize and direct the Secretary of State to countersign and make delivery of the same to the United States of America.

And report that the same have been correctly enrolled, and that they were presented to the Governor at eleven o'clock A. M. on this ninth day of June, 1906.

KEANE, Chairman.

THIRD READING OF BILLS—(RESUMED).

Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county

and city and county recorders' offices, and to the recording of instruments therein.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 29 passed by the following vote:

AYES—Senators Anderson, Belshaw, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lyneh, Mattos, Mnenter, Nelson, Rambo, Rush, Savage, Shortridge, Ward, Welch, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency:

Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Also: Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Also: Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

Also: Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

CLIO LLOYD, Chief Clerk of the Assembly.

By C. A. THOMPSON, Assistant Clerk.

Senate Bills Nos. 71, 77, 7, and 41 ordered to enrollment.

Assembly Bill No. 69 read first time, and referred to Committee on Finance.

RECESS.

At twelve o'clock and twenty minutes p. m., on motion of Senator Leavitt, the President declared the Senate at recess until three o'clock p. m. of this day.

RECONVENED.

At three o'clock p. m. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Curtin, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed as a case of urgency Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Also: Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Also: Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco Number 4422.

Also: Amended, and adopted as amended, Senate Concurrent Resolution No. 2—Relative to adjournment *sine die*.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bills Nos. 70, 6, 8, and 13 ordered to enrollment.

Senator Belshaw moved that the Senate refuse to concur in the following Assembly amendment to Senate Concurrent Resolution No. 2, and that the Assembly be asked to recede from the same:

Amend by striking out the words "ten o'clock P. M. on Saturday, June 9th," and inserting in lieu thereof the following: "twelve o'clock M., Tuesday, June 12."

Senator Shortridge moved, as a substitute, that the Senate concur in the Assembly amendment.

The question being on the adoption of the substitute.

The roll was called, and the substitute lost by the following vote:

AYES—Senators Broughton, Carter, Coggins, Greenwell, Irish, Keane, Markey, McKee, Rowell, Rush, Shortridge, Simpson, Welch, and Wolfe—14.

NOES—Senators Anderson, Belshaw, Curtin, Diggs, Hahn, Leavitt, Leeke, Lukens, Lynch, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Sanford, Savage, and Ward—18.

The question being on the motion of Senator Belshaw.

The same was put and carried.

Concurrent resolution ordered transmitted to the Assembly.

INTRODUCTION AND FIRST READING OF BILL—(OUT OF ORDER).

The following bill was introduced:

By Committee on Finance: Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time, and ordered on file without reference to committee.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Belshaw:

Resolved, That Senate Bill No. 81 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Mattos, McKee, Muentner, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—27.

NOES—Senator Irish—1.

CASE OF URGENCY.

Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill having been printed.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 81 passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—25.
 NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District—have had the same under consideration, and respectfully report the same back, and recommend that it do pass as amended.

BELSHAW. Chairman.

Assembly Bill No. 69 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of public records or documents lost or destroyed by conflagration or other public calamity—have had the same under consideration and amended the said bill in committee, and the same is reported back, with the recommendation that the amendments be adopted, and that the said bill do pass as amended.

Also: Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised—have had the same under consideration, and amended said bill in committee, and report the same back with the recommendation that the amendments be adopted, and that said bill do pass as amended.

LUKENS. Chairman.

Assembly Bill No. 11 ordered on file.

Senate Bill No. 78 ordered on file for second reading.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolutions:

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Sergeant-at-Arms of the Senate for the sum of \$97.95 in payment of the bills hereto attached, and the Treasurer is directed to pay the same:

Tenbrook & Co.	\$2 50
J. G. Simpson, labor	15 00
Capital Furniture Co.	2 50
A. J. Johnston	75
Hale Bros. Co.	6 00
John Breuner Co.	32 10

Wells-Fargo Co.	\$1 40
Siller Bros.	5 00
Ice	8 00
E. M. Leitch	16 00
Telephone	6 00
Wright & Donnelly	1 50
U. S. Post Office	1 20
Total	\$97 95

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Secretary of the Senate for the sum of two hundred and nineteen and fifty one-hundredths (\$219.50) dollars, in payment of bills hereto attached, and the Treasurer is directed to pay the same:

William Wicks	\$44 00
Sam Redmond	55 00
B. F. Newby	55 00
W. S. Hoskinson	4 00
W. J. Deal & Co.	55 50
Pacific States Tel. Co.	6 00
Total	\$219 50

Resolved, That the Sergeant-at-Arms shall be allowed \$165 for services rendered after the close of the session for checking up and storing furniture and carpets, and taking canvas from roof over Senate Chamber and performing other necessary work, and the Controller is hereby directed to draw his warrant for the same, payable out of the Contingent Fund of the Senate.

Have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted.

WOLFE, Chairman.

Report and resolutions adopted.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Leavitt:

Resolved, That Assembly Bill No. 11 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Matios, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

During second reading of bill, the following amendment was submitted by the committee:

On pages 1 and 2, Section 1, strike out the whole of lines 4 to 20, inclusive, and insert in lieu thereof the following: "1855a. When it is desired to prove the contents of any public record or document lost or destroyed by conflagration or other public calamity and, after proof of such loss or destruction, there is offered in proof of such contents, any abstract of title issued and certified to as correct by any person, firm or corporation engaged in the business of preparing and making abstracts of title issued and certified to as correct by any such person, firm or corporation, the same may be admitted in evidence on proof that the same was prepared and made in the ordinary course of business prior to such loss or destruction, and without further proof by the person who

actually made the copies, extracts, notes or memoranda of records constituting said abstract of title that they were correctly taken from the original record or document; *provided, nevertheless*, that whenever and as soon as said action is set for trial any party so desiring to use said evidence shall notify all other parties to the action who have appeared therein of his intention to use the same at the trial of said action, and shall give all such other parties a reasonable opportunity to inspect the same and to take copies thereof."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

SENATOR LUKENS IN THE CHAIR.

At four o'clock P. M., Senator Lukens, of the Fifteenth District, in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Belshaw:

Resolved, That Assembly Bill No. 69 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Belshaw, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—28.

NOES—Senator Irish—1.

CASE OF URGENCY.

Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

During second reading of bill, the following amendment was submitted by the committee:

Strike out of the printed bill, in Section 1, all after the word "court," in line 7, and insert a period in lieu of the comma after the word "court."

Amendment adopted.

Bill read second time, and ordered to print and third reading.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Leavitt, Senate Bill No. 78 was taken up for purpose of amendment and second reading.

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.

During second reading of bill, the following amendments were submitted by the committee:

On page 3, subdivision 15, line 74, of the printed bill, after the word "plants" insert a comma, and thereafter the following: "or any parts thereof or any record therein."

Amendment adopted.

On page 3, subdivision 15, line 75, of the printed bill, after the words "business of" insert the following: "searching public records, or publishing public records or."

Amendment adopted.

Bill read second time, and ordered to print, engrossment and third reading.

INTRODUCTION AND FIRST READING OF BILLS, ETC.—(OUT OF ORDER).

The following bill, etc., was introduced:

By Senator Lukens: Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

Bill read first time, and referred to Committee on Judiciary.

By Senator Pendleton: Senate Constitutional Amendment No. 14—Proposed amendment to Article XI of the Constitution, relative to consolidation of city and county governments.

Referred to Committee on Judiciary.

LEAVES OF ABSENCE.

Senator Haskins was, on motion of Senator Shortridge, granted leave of absence for the day.

Senator Rowell was, on his own motion, granted leave of absence until Monday morning, June 11, 1906.

Senator Coggins was, on his own motion, granted leave of absence until Monday evening, June 11, 1906.

Senator Carter was, on his own motion, granted leave of absence until Monday morning, June 11, 1906, at eleven o'clock.

Senator Bauer was, on motion of Senator Leavitt, granted leave of absence for the day.

RECESS.

At four o'clock and ten minutes P. M., on motion of Senator Leavitt, the President declared the Senate at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following Senate bills:

Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor.

Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital and making an appropriation therefor.

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital and making an appropriation therefor.

Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José and making an appropriation therefor.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacists where the same has been destroyed by conflagration or other public calamity.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

And report that the same have been correctly enrolled and that they were presented to the Governor this 9th day of June, 1906, at four o'clock and forty-five minutes P. M.

KEANE, Chairman.

PRESIDENT PRO TEM. WOLFE IN THE CHAIR.

At eight o'clock and ten minutes P. M., Senator E. I. Wolfe, President pro tem. of the Senate, in the chair.

CONSIDERATION OF SPECIAL ORDER TEMPORARILY POSTPONED.

On motion of Senator Leavitt, the consideration of Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—being a special order set for this hour, was temporarily postponed.

SENATOR KEANE IN THE CHAIR.

At eight o'clock and thirty minutes P. M., Senator George B. Keane, of the Twenty-third District, in the chair.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 52—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Also: Senate Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Have had the same under consideration, and respectfully report the same back, with the recommendation that they do not pass.

LUKENS, Chairman.

Senate Bills Nos. 52 and 27 ordered on file for second reading.

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section, to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years—have had the same under consideration, and respectfully report the same back without recommendation.

BELSHAW, Chairman.

Senate Constitutional Amendment No. 5 ordered on file.

PRESIDENT PRO TEM. WOLFE IN THE CHAIR.

At eight o'clock and forty-five minutes P. M., President pro tem. E. I. Wolfe in the chair.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day, passed, as a case of urgency, Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Also: Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Also: Senate Bill No. 68—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Also: Senate Bill No. 64—An Act to provide for the establishment of land titles in case of the loss or destruction of records.

Also: Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Also: Assembly Bill No. 79—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Also: Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Also: Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Also: Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Also: Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bills Nos. 78, 79, and 25 read first time, and referred to Committee on Judiciary.

Assembly Bill No. 76 read first time, and referred to Committee on Finance.

Senate Bills Nos. 76, 68, 64, 57, 32, 59, 81, and 36 ordered to enrollment.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON-ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined and found the following Senate bill correctly re-engrossed:

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.

KEANE, Chairman.

Senate Bill No. 78 ordered on file for third reading.

RECESS.

At eight o'clock and fifty-five minutes P. M., on motion of Senator Leavitt, the President pro tem. declared the Senate at recess for thirty minutes.

RECONVENED.

At nine o'clock and fifteen minutes P. M. the Senate reconvened.
Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Belshaw, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed the following resolution:

Resolved, That the Assembly refuses to recede from its amendment to Senate Concurrent Resolution No. 2, and that the Speaker be instructed to appoint a committee of three on conference, and that the Senate be requested to appoint a like committee to meet with the Assembly committee.

And in accordance therewith the Speaker of the Assembly has appointed the following Committee on Conference: Assemblymen Coghlan, Amerige, and Dorsey, and requests that a similar committee be appointed from your honorable body by the President thereof.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

MOTION.

Senator Belshaw moved that a Committee on Conference be appointed to confer with the Assembly committee.

Motion carried.

APPOINTMENT OF COMMITTEE ON CONFERENCE.

In compliance with the request of the Assembly and the above, the President pro tem. appointed Senators Belshaw, Shortridge, and Curtin a Committee on Conference on Senate Concurrent Resolution No. 2.

SENATOR RALSTON IN THE CHAIR.

At nine o'clock and twenty-five minutes P. M., Senator Ralston, of the Tenth District, in the chair.

CASE OF URGENCY.

On motion of Senator Leavitt, the following bill was taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

Bill read second time this day and amended.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 11 finally passed by the following vote:

AYES—Senators Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

Senator Wolfe moved that Senate Constitutional Amendment No. 5 be taken up for consideration.

Motion carried.

Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

During the reading of the constitutional amendment the following amendments were offered:

By Senator Wolfe:

On page 1, line 10, strike out the word "ten," and insert the word "six."
Also: On line 11, strike out the word "five," and insert the word "three."

Amendments adopted.

By Senator Lukens:

On page 1, between lines 7 and 8, insert:

"SECTION 1. The legislature shall not, in any manner, create any debt or debts, liability or liabilities, which shall, singly or in the aggregate with any previous debts or liabilities, exceed the sum of five hundred thousand (\$500,000) dollars, except in case of war to repel invasion or suppress insurrection, unless the same shall be authorized by law for some single object or work to be distinctly specified therein, which law shall provide ways and means, exclusive of loans, for the payment of the interest of such debt or liability as it falls due, and also to pay and discharge the principal of such debt or liability within forty (40) years of the time of the contracting thereof, and shall be irrevocable until the principal and interest thereon shall be paid and discharged; but no such law shall take effect until, at a general election, it shall have been submitted to the people and shall have received a majority of all the votes cast for and against it at such election; and all moneys raised by authority of such law shall be applied only to the specific object therein stated, or to the payment of the debt thereby created, and such law shall be published in at least one newspaper in each county, or city and county, if one be published therein, throughout the State, for three (3) months next preceding the election at which it is submitted to the people. The legislature may at any time after the approval of such law by the people, if no debt shall have been contracted in pursuance thereof, repeal the same."

Amendment lost.

Constitutional amendment ordered to print.

RESOLUTION.

The following resolution was offered:

By Senator Lukens:

Be it Resolved, That the Secretary of State is hereby authorized and directed to distribute to the Secretary of the Senate, for the use of the Senate Judiciary Committee, eighteen (18) complete sets of the following State publications, viz: Hittell's Codes and Statutes, 1876; Amendments to the Codes, 1873-4; Amendments to the Codes, 1875-6; Amendments to the Codes, 1877-8; Amendments to the Codes, 1880; Code of Civil Procedure, 1872; Code, Penal, 1872; Code, Political, volumes 1 and 2, 1872; Wright's Irrigation Law; Reports (three volumes) Constitutional Convention, 1879; Statutes Continued in Force, 1873; Statutes, 1875-6; Statutes, 1877-8; Statutes, 1880; Statutes, 1881; Statutes, 1883; Statutes, 1886-7; Statutes, 1889; Statutes, 1893; Statutes, 1897; Statutes, 1899; Statutes, 1901; Statutes, 1903; Statutes, 1905; Index to Laws, 1850-1893; Index to Laws, 1893-1903; California Reports, volumes 41 to 46, both inclusive.

Resolution read.

Senator Belshaw moved that the resolution be amended as follows:

Strike out the words and figures "Senate Judiciary Committee, eighteen (18)," and insert in lieu thereof the words and figures "members of the Senate, thirty-five (35)."

Amendment adopted.

Resolution, as amended, adopted.

CASE OF URGENCY.

On motion of Senator Leavitt, the following bill was taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted this day:

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read third time this day.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 78 passed by the following vote:

AYES—Senators Anderson, Broughton, Coggins, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Muentert, Nelson, Pendleton, Ralston, Rambo, Savage, Simpson, Ward, and Welch—21.

NOES—Senators Carter, Diggs, and Irish—3.

Title read and approved.

Bill ordered transmitted to the Assembly.

RECESS.

At nine o'clock and fifty minutes P. M., on motion of Senator Leavitt, the Acting President declared the Senate at recess for fifteen minutes.

RECONVENED.

At ten o'clock and five minutes P. M. the Senate reconvened. Senator Ralston, of the Tenth District, in the chair.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Wolfe, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

Also: Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Also: Assembly Bill No. 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Also: Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Also: Amended, and passed as amended, Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Also: Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration or other public calamity.

And respectfully request that your honorable body concur in the amendments thereto.

Also: Passed Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Also: Refused passage to Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bills Nos. 69, 34, 72, and 35 ordered to enrollment.

Assembly Bill No. 14 read first time, and referred to Committee on Judiciary.

The question being, "Shall the Senate concur in the following Assembly amendments to Committee Substitute for Senate Bill No. 56?"

By inserting after word "calamity," on line 18, page 2, thereof, the words "or whereof, by reason of such conflagration or calamity the regular session or attendance of such district or high school has been interrupted and its average attendance materially affected thereby."

The roll was called, and the Assembly amendment to Committee Substitute for Senate Bill No. 56 concurred in by the following vote:

AYES—Senators Anderson, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Irish, Keane, Leeke, Lukens, Lynch, Mattos, Ralston, Rambo, Rush, Savage, Simpson, Ward, Welch, and Wolfe—21.

NOES—None.

The question being, "Shall the Senate concur in the following Assembly amendment to Committee Substitute for Senate Bill No. 56?"

Amend, on page 2 of the printed bill, line 25, by striking therefrom the word "three," and inserting in lieu thereof the word "five."

Also: Amend the printed bill, on page 2, line 26, by striking therefrom the figure "3" where it occurs in parentheses on such line, and inserting in lieu thereof the figure "5."

The roll was called, and the Assembly amendments to Committee Substitute for Senate Bill No. 56 concurred in by the following vote:

AYES—Senators Anderson, Broughton, Coggins, Diggs, Greenwell, Hahn, Keane, Leeke, Lukens, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Simpson, Welch, and Wolfe—23.

NOES—None.

Committee Substitute for Senate Bill No. 56 ordered to enrollment.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Bill No. 47?"

On page 3, line 2, printed bill, after the word "the," insert the word "next."

Also: On line 37, page 2, printed bill, after the word "preceding," insert the word "school."

Also: On line 41, printed bill, after the word "census," insert the word "record."

The roll was called, and the Assembly amendments to Senate Bill No. 47 concurred in by the following vote:

AYES—Senators Anderson, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Irish, Keane, Leeke, Lukens, Lynch, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—26.

NOES—None.

Senate Bill No. 47 order to enrollment.

RECESS.

At ten o'clock and fifteen minutes P. M., on motion of Senator Wolfe, the Acting President declared the Senate at recess for five minutes.

RECONVENED.

At ten o'clock and twenty minutes P. M. the Senate reconvened. Senator Ralston, of the Tenth District, in the chair.

REPORTS OF STANDING COMMITTEE—(OUT OF ORDER).

The following reports of standing committee were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 79—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity—have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

LUKENS, Chairman.
BROUGHTON.
HAHN.
SIMPSON.
WOLFE.
KEANE.
IRISH.

Also:

SENATE CHAMBER, SACRAMENTO, 9, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

LUKENS, Chairman.

Assembly Bill No. 79 ordered on file for second reading.

Senate Bill No. 82 ordered on file for second reading.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

The following joint resolution was introduced by Senator Lukens:

SENATE JOINT RESOLUTION NO. 2.

WHEREAS, The hydrographic branch of the Geological Survey has rendered conspicuous service to the people of the United States, and especially of the State of California; and,

WHEREAS, Any reduction in the amount of money appropriated for its maintenance would seriously cripple and reduce the efficiency of its work; now, therefore, be it

Resolved by the Senate and Assembly, jointly, That the Senators and Representatives in Congress from the State of California be, and they are hereby, urgently requested to use every honorable means to prevent any reduction in the Sundry Civil Bill of the amount of the appropriation providing for the maintenance of the hydrographic branch of the Geological Survey. The Secretary of the Senate is hereby directed to mail a copy of this resolution to the said Senators and Representatives.

Joint resolution read and adopted.

Joint resolution ordered transmitted to the Assembly.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

Senator Wolfe moved that Senate Constitutional Amendment No. 5 be taken up for consideration.

Motion carried.

SENATE CONSTITUTIONAL AMENDMENT NO. 5.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in revenue of the State for certain years.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that article sixteen of the Constitution of the State of California be amended by adding thereto a new section to be numbered two, and to read as follows:

Section 2. The Legislature is authorized and empowered to incur an indebtedness on the part of the State in a sum not to exceed six million dollars, of which sum an amount not exceeding three million dollars shall be appropriated, used and expended

for the purposes of rebuilding, repairing, restoring and replacing the buildings and property of the State recently destroyed or damaged, and any balance of the total sum thereby obtained shall be appropriated, used and expended for the purpose of meeting any deficiencies which may arise and exist in the revenues of the State for the fiscal years commencing July 1, 1907, and ending June 30, 1912. Only so much of the sum so available to meet such deficiencies shall be appropriated or used for any one year as may be necessary to meet the deficiency for such year, not exceeding, however, in any one year twenty per cent. of the whole sum so available; any balance of such sum remaining on June 30, 1912, shall be placed to the credit of such sum as may be created for the repayment of said bonds. The interest on such indebtedness shall not exceed four per cent. per annum, payable semi-annually, the principal to be due and payable in twenty equal annual installments commencing ten years from the date when said indebtedness shall have been incurred. The Legislature is hereby authorized to issue or cause to be issued bonds of the State, with interest coupons, in such form as may be prescribed, for the purpose of evidencing and securing such indebtedness, and to enact all such legislation and authorize, do, and take all such acts and proceedings and the issue and sale of such bonds, and for the payment of the principal and interest thereof. Said bonds shall not be sold for less than par. Except as hereinbefore provided and as provided in section one of this article, the Legislature shall not in any manner create any debt or debts, liability or liabilities.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 5 adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

NOES—None.

Constitutional amendment ordered transmitted to the Assembly.

PRESIDENT ANDERSON IN THE CHAIR.

At eleven o'clock and forty-five minutes P. M., Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORTS OF COMMITTEE ON CONFERENCE.

The following report of Committee on Conference was received and read:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: Your Committee on Conference concerning Senate Concurrent Resolution No. 2, report that we have met a like committee of the Assembly, consisting of Assemblymen Coghlan, Dorsey, and Amerige, and we report that a majority of the Conference Committee agreed upon and recommend that the Senate concur in the Assembly amendment to said resolution.

SHORTRIDGE, of Senate Committee on Conference.

The following minority report was received and read:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: The minority of your Committee on Conference concerning Senate Concurrent Resolution relative to adjournment, report that we have met a like committee of the Assembly, consisting of Assemblymen Coghlan, Dorsey, and Amerige, and we report as a minority of said Conference Committee that the Senate refuse to concur on the Assembly amendment to said resolution.

BELSHAW,
CURTIN,

Minority of Senate Committee on Conference.

MOTION.

Senator Pendleton moved that the majority report be adopted.

The question being on the motion.

During the discussion, Senator Markey moved the previous question.

The motion was duly seconded by Senators Rush, Ralston, and Pendleton.

Whereupon the President put the question, "Shall the question be now put?"

The question being on the motion.

The same was carried.

The question being on the motion to adopt the majority report.

The roll was called, and the majority report adopted by the following vote:

AYES—Senators Anderson, Broughton, Coggins, Greenwell, Irish, Keane, Leeke, Markey, Nelson, Pendleton, Rambo, Rush, Shortridge, Simpson, Ward, Welch, and Wolfe—17.

NOES—Senators Belshaw, Carter, Curtin, Diggs, Hahn, Leavitt, Lukens, Lynch, Mattos, McKee, Muentner, Ralston, Sanford, and Savage—14.

The question being, "Shall the Senate concur in the Assembly amendment to Senate Concurrent Resolution No. 2?"

The roll was called, and the Assembly amendment to Senate Concurrent Resolution No. 2 concurred in by the following vote:

AYES—Senators Anderson, Broughton, Coggins, Greenwell, Irish, Keane, Leeke, Nelson, Pendleton, Ralston, Rambo, Rush, Shortridge, Ward, Welch, and Wolfe—16.

NOES—Senators Belshaw, Hahn, Lynch, Mattos, and Savage—5.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes P. M. Senator Pendleton moved that the Senate do now adjourn until Monday, June 11, 1906, at ten o'clock A. M.

Senator Curtin moved to amend by substituting two o'clock P. M.

The question being on the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, McKee, Ralston, Rambo, Rush, Savage, Shortridge, and Ward—22.

NOES—Senators Mattos, Nelson, Welch, and Wolfe—4.

Whereupon the President declared the Senate adjourned until Monday, June 11, 1906, at two o'clock P. M.

IN SENATE.

SENATE CHAMBER,
Monday, June 11, 1906. }

Pursuant to adjournment, the Senate met at two o'clock P. M.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Belshaw, Carter, Coggins, Diggs, Greenwell, Hahn, Has-
kins, Irish, Keane, Leavitt, Leeke, Lynch, Mattos, McKee, Muentner, Nelson, Rambo,
Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—28.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF THE JOURNAL.

During the reading of the Journal of Saturday, June 9, 1906, the further reading was dispensed with, on motion of Senator Irish.

APPROVAL OF JOURNAL.

The Journal of Friday, June 8, 1906, having been previously read and corrected, was approved.

PETITION.

The following petition was presented by Senator Shortridge, read, ordered printed in the Journal, and referred to Committee on Finance:

PETITION.

To the Governor, and to the Senate and Assembly of the California Legislature in session at Sacramento, California, June, 1906, greeting:

We, the undersigned citizens of California, do hereby respectfully request the passage of the following Joint Resolution:

WHEREAS, An extraordinary event has destroyed San Francisco's public buildings as well as injuring State buildings, necessitating the Governor to convene the Legislature of California in extraordinary session, to aid San Francisco and the State in rebuilding; the most necessary thing needed being money; and as the producers of the State and San Francisco are now taxed almost to the limit, that we regard the issuance of bonds at ruling rates will be a great hardship on the people; and as the Government of the United States now gives private corporations money on bonds deposited with it, at a total cost of one per cent, and pays an interest on the bonds, besides; therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That we ask of the Government of the United States for the same square deal to the states and civic corporations; and that Congress frame and pass, and the President sign, a law, that while it will allow the State of California and City of San Francisco to get money of the Government at a total cost of one per cent per dollar on their bonds, will also allow other States, municipalities, and civic corporations to do the same, when once such general law is passed, "so that government of the people, by the people, and for the people may not perish from the earth"; and be it further

Resolved, That we call on the noble people of the common country who so sincerely sympathized with the people of San Francisco in distress, to rally to aid in obtaining such legislation of Congress, and thus San Francisco's misfortune will be a blessing in disguise, in being the means to the beneficent end of providing for ready relief in such emergencies as the Chicago fire, Johnstown flood, Galveston tidal wave, and other calamities likely to occur hereafter in any State, city, or town in the Union, as recently befell California, and some of its cities, villages, and towns; and be it further

Resolved, That the Governor, Hon. George C. Pardee, be requested to forward these resolutions to President Roosevelt and the California delegation in Congress, with the request for action as soon as possible, by Congress, for the above legislation.

(Signed:) CARL BROWN,
And 200 other names.

MOTION.

Senator Curtin moved that all Assembly bills be ordered on file without reference to committee.

Motion carried.

MESSAGE FROM THE ASSEMBLY.

The following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day adopted the report of the Conference Committee on Assembly Concurrent Resolution No. 2, relative to adjournment *sine die*, fixing the time at twelve o'clock noon, Tuesday, June 12, 1906.

Also: Passed, as a case of urgency, Senate Bill No. 79—An Act to add a new section to the Civil Code to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Also: Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding two new sections thereto, to be known as Sections 10a and 10b, relating to a license tax upon corporations, and making provision for settling the affairs of corporations, where said tax has not been paid, and providing a penalty for the violation thereof.

Also: Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University Cadets, called into service by order of the Governor in the months of April, May, and June, 1906.

Also: Assembly Bill No. 37—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Also: Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps, or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged by conflagration or other public calamity.

Also: Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Also: Assembly Bill No. 63—An Act adding a new section to the Civil Code, to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bills Nos. 79 and 19 ordered to enrollment.

Assembly Bills Nos. 59, 37, 38, 60, and 63 read first time, and ordered on file.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Also: Request that you return, for correction, Assembly Bill No. 69.

Also: Passed, as a case of urgency, Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State Government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

Also: Amended, and passed as amended, Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State Government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Also: Amended, and adopted as amended, Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

And respectfully request that your honorable body concur in the said amendments.

Also: Adopted Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

Also: Passed Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its dis-

tribution," approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Also: Passed Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Assembly Bills Nos. 45, 82, 81, 23 and 39 read first time, and ordered on file.

Senate Bill No. 73 ordered to enrollment.

Senate Constitutional Amendment No. 2 ordered to enrollment.

Assembly Constitutional Amendment No. 2 ordered on file.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Bill No. 73?"

Amend by striking out the words "not more than" in Section 5, on line 8, page 3, printed bill.

Amend by striking out the word "after" in Section 5, line 9, page 3, printed bill.

Amend by striking out all of Section 6, page 3, printed bill.

Amend by adding two new sections:

"Sec. 6. This Act is hereby exempt from the provisions of the Building Act, approved March 23, 1876, and all Acts amendatory thereof and supplemental thereto."

"Sec. 7. This Act shall take effect, and be in force from and after July 1st, 1906."

The roll was called, and the Assembly amendments to Senate Bill No. 73 concurred in by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, McKee, Nelson, Pendleton, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—29.

NOES—None.

Senate Bill No. 73 ordered to enrollment.

PRESIDENT PRO TEM. WOLFE IN THE CHAIR.

At two o'clock and forty-five minutes P. M., President pro tem. E. I. Wolfe in the chair.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Constitutional Amendment No. 2?"

Amend Senate Constitutional Amendment No. 2 by striking out of line 18 of printed resolution the word "majority" and inserting in lieu thereof the words "three fifths."

The roll was called, and the Assembly amendment to Senate Constitutional Amendment No. 2 concurred in by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—33.

NOES—None.

Senate Constitutional Amendment No. 2 ordered to enrollment.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was received and read:

EXECUTIVE DEPARTMENT. STATE OF CALIFORNIA,
SACRAMENTO, June 11, 1906.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County (now or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature approved March 25, 1903.

GEO. C. PARDEE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 11, 1906.

To the Senate of the State of California:

I have the honor to inform your honorable body that, since the adjournment of the thirty-sixth regular session of the Legislature, I have made the following appointments, and request your concurrence therein and consent thereto:

April 7, 1905—Tirey L. Ford, of San Francisco, a member of the State Board of Prison Directors, vice R. M. Fitzgerald, term expired.

April 16, 1906—J. F. Campbell, of Maxwell, a trustee of the State Normal School at Chico, vice Richard Belcher, resigned.

September 21, 1905—Thomas Addison, of Berkeley, a trustee of the State Normal School at San José, vice self, term expired.

April 7, 1905—J. M. Allen, of San Francisco, a trustee of the State Normal School at San Francisco, vice Frank W. Marston, term expired.

November 14, 1905—Geo. I. Cochran, of Los Angeles, a trustee of the State Normal School at Los Angeles, vice C. D. Willard, resigned.

November 14, 1905—John Wasson, of Pomona, a trustee of the State Normal School at Los Angeles, vice self, term expired.

May 29, 1905—S. C. Irving, of San Francisco, a director of the California Home for the Care and Training of Feeble-Minded Children, vice Wm. Thomas, resigned.

November 4, 1905—Frank M. Wilson, of Berkeley, a director of the California Institution for the Deaf and Blind, vice John G. Mattos, Jr., resigned.

January 30, 1906—C. C. Desmond, of Los Angeles, a trustee of the Whittier State School, vice Walter Lindley, resigned.

May 22, 1905—Eugene De Burn, of San Diego, a member of the Board of State Harbor Commissioners for the Bay of San Diego, vice self, term expired.

August 14, 1905—Herman Silver, of Los Angeles, a Bank Commissioner of the State of California, vice self, term expired.

October 6, 1905—N. Blackstock, of Ventura, a Bank Commissioner of the State of California, vice self, term expired.

April 5, 1906—E. Myron Wolf, of San Francisco, Insurance Commissioner of the State of California, vice self, term expired.

November 10, 1905—Robert Wankowski, of Los Angeles, Brigadier-General, First Brigade, National Guard of California.

June 19, 1905—John A. Koster, of San Francisco, Brigadier-General, Second Brigade, National Guard of California.

GEO. C. PARDEE,
Governor of the State of California.

SPECIAL ORDER SET.

Senator Leavitt moved that the consideration of the message from the Governor be made a special order for Tuesday, June 12, 1906, at ten o'clock A. M.

Senator Lukens moved to amend by making the time this day at nine o'clock P. M.

Amendment lost.

Motion of Senator Leavitt put and carried.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity—respectfully report the same back, with recommendation that it do pass.

LUKENS, Chairman.

Assembly Bill No. 25 ordered on file for second reading.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following Senate bills:

Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the ease of Ukiah Guaranty, etc., Co. vs. Charles F. Curry, Secretary of State, San Francisco number 4422.

And report that the same have been correctly enrolled, and that they were presented to the Governor upon the 10th day of June 1906, at nine o'clock and fifteen minutes P. M.

KEANE, Chairman.

CONSIDERATION OF DAILY FILE.

SENATE CONSTITUTIONAL AMENDMENT NO. 12.

A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its special session, commencing on the second day of June, A. D. 1906, two thirds of the members elected to each of the two houses voting in favor thereof, hereby propose that section eighteen of Article XI of the Constitution of California be amended to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided however,* that the City and County of San Francisco and the City of San José may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred, by it, to commence at a time after the incurring of such indebtedness of not more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Senate Constitutional Amendment No. 12 adopted by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Haskins, Keane, Leeke, Lukens, Lynch, Markey, Mattos, Muenter, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—27.

NOES—Senators Irish and Rowell—2.

Senate Constitutional Amendment No. 12 ordered transmitted to the Assembly.

ASSEMBLY CONCURRENT RESOLUTION NO. 5.

Relating to printing the laws, amendments to the codes and proposed constitutional amendments for free distribution by the Secretary of State.

Resolved by the Assembly, the Senate concurring, That the Superintendent of State Printing be instructed to cause to be printed an edition of five thousand copies of the laws, amendments to the codes, and proposed constitutional amendments, passed at this extra

session, to be indexed by the Secretary of State, the same to be stitched and paper covered, and to be delivered to the Secretary of State for free distribution, twenty of which said copies he shall send to each member of the Senate and Assembly; also, in addition to these five thousand copies, the Superintendent of State Printing be instructed to print in chapter form, forty thousand copies of either Assembly Bill No. 34 or Senate Bill No. 19, relating to the annual license tax upon corporations, should either bill pass and become a law, fifteen hundred copies of either Assembly Bill No. 16 or Senate Bill No. 13, relating to the refunding of money to certain corporations, should either bill pass and become a law, and two hundred and fifty copies of all other chapters and proposed constitutional amendments for free distribution by the Secretary of State, all of which shall be paid for out of the appropriation for legislative printing.

Concurrent resolution read.

The question being on the adoption of the concurrent resolution.

The same was adopted.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Lukens:

Resolved, That Senate Bill No. 82 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Muentzer, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 82 passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Greenwell, Hahn, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Muentzer, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Ward, and Wolfe—25.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 79—An Act relating to the restoration of records which have been injured or destroyed by conflagration or other calamity.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 79 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Diggs, Greenwell, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Muentzer, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Simpson, Ward, and Wolfe—24.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following Senate bills:

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California, situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Senate Bill No. 68—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Committee Substitute for Senate Bill No. 64—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Committee Substitute for Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Committee Substitute for Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

And report that the same have been correctly enrolled and that they were presented to the Governor at three o'clock p. m. on this 11th day of June, 1906.

KEANE, Chairman.

BILLS DENIED A SECOND READING.

Senator Belshaw moved that Senate Bill No. 2—An Act validating acts done or performed on legal holidays.

Also: Senate Bill No. 66—An Act declaring that no contract entered into during holidays from the 19th day of April, 1906, to the 3rd day of June, 1906, shall be held invalid by reason of being entered into on any of such holidays, nor by reason of having been entered into prematurely on account of such holidays, and ratifying and confirming all

such contracts entered into in which one of the parties to the same is a public officer.

Also: Senate Bill No. 52—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Also: Senate Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Be denied a second reading.

Motion carried.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day amended, and passed as amended, Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906—and respectfully request that your honorable body concur in the same.

Also: Passed Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Also: Concurred in Senate amendments to Assembly Bill No. 11.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 40 ordered to enrollment.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Bill No. 65?"

Amend by adding after the word "California," in line 5 of the printed bill, the words "and the University Cadets."

Amend by adding after the word "California," in line 3 of the title of the printed bill, the words "and the University Cadets."

The roll was called, and the Assembly amendments to Senate Bill No. 65 concurred in by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—30.

NOES—Senator Irish—1.

Senate Bill No. 65 ordered to enrollment.

SENATOR SANFORD IN THE CHAIR.

At three o'clock and fifty-five minutes p. m., Senator J. B. Sanford, of the Fourth District, in the chair.

INTRODUCTION OF JOINT RESOLUTION—(OUT OF ORDER).

The following joint resolution was introduced by Senator Curtin:

SENATE JOINT RESOLUTION No. 3.

WHEREAS, The recent conflagration which destroyed a large portion of the City and County of San Francisco has resulted in withdrawing a large amount of capital annually employed in the State of California in the prospecting for, working and

developing mines and has particularly worked a hardship upon those persons who annually contribute a large amount of money for the performance of the annual labor upon mining claims as required by the provisions of Section 2324 of the Revised Statutes of the United States.

Resolved, therefore, by the Senate of the State of California and Assembly jointly. That our Senators and Representatives in Congress use all honorable means to secure the passage of legislation by the present Congress, suspending the operation for the year 1906 of that portion of the Revised Statutes of the United States, Section 2324 thereof, requiring the expenditure annually of one hundred dollars in labor and improvements upon unpatented mining claims, similar legislation having been enacted by Congress in the years 1893 and 1894.

Be it therefore resolved. That the Secretary of the Senate be and is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Resolution read and adopted.

RESOLUTIONS—(OUT OF ORDER).

The following resolutions were offered:

By Senator Belshaw:

Resolved, That Assembly Bills No. 37, 38, 60, 63, 45, 82, 81, 76, 23, 39, and 25 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muenter, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—31.

NOES—None.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced:

By Senator Wolfe: Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

Bill read first time, and, on motion of Senator Wolfe, ordered on file without reference to committee.

RUSH ORDER TO PRINTER.

On motion of Senator Wolfe, the Secretary was directed to issue a rush order for the printing of Senate Bill No. 83.

PRESIDENT PRO TEM. WOLFE IN THE CHAIR.

At four o'clock and twenty minutes P. M., Senator E. I. Wolfe, President pro tem. of the Senate, in the chair.

RECESS.

At four o'clock and twenty-five minutes P. M., on motion of Senator Lukens, the President pro tem. declared the Senate at recess for five minutes.

RECONVENED.

At four o'clock and thirty minutes P. M. the Senate reconvened.
Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

CASES OF URGENCY.

Assembly Bill No. 37—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

On motion of Senator Lukens, Assembly Bill No. 37 was referred to Committee on Judiciary.

Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 38 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Hahn, Keane, Leavitt, Leeke, Lukens, Mattos, McKee, Muentier, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, and Wolfe—25.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling, and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 60 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Hahn, Irish, Keane, Leavitt, Leeke, Lukens, Mattos, Muentier, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—27.
NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

On motion of Senator Lukens, Assembly Bill No. 45 was temporarily passed on file.

Assembly Bill No. 63—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment,

reissuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 63 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Simpson, Ward, Welch, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 82 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Simpson, Ward, Welch, and Wolfe—30.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

SENATOR HAHN IN THE CHAIR.

At four o'clock and forty-five minutes P. M. State Senator Benjamin W. Hahn, of the Thirty-sixth District, in the chair.

Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 23 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, and Welch—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments

of the State government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 81 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, and Wolfe—29.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 25 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Broughton, Coggins, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, Muentner, Nelson, Pendleton, Ralston, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

On motion of Senator Lukens, Assembly Bill No. 39 was referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BELSHAW, Chairman.

Assembly Bill No. 76 ordered on file.

ON JUDICIARY.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Judiciary, to whom was referred Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or school trustees in issuing bonds—respectfully report the same back amended in committee, with the recommendation that it do pass as amended.

LUKENS, Chairman.

Assembly Bill No. 78 ordered on file.

CONSIDERATION OF BILL—(OUT OF ORDER).

On motion of Senator Lukens, Assembly Bill No. 78 was taken up for purpose of amendment and second reading.

Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

During second reading of bill, the following amendments were submitted by the committee:

On page 1, Section 1, line 3 of the printed bill, insert a comma after the word "city."
Amendment adopted.

On page 2, subdivision 3, line 4 of the printed bill, strike out the word "or" and insert in lieu thereof the word "for."

Amendment adopted.

On page 2, subdivision 3, line 7 of the printed bill, add the letter "s" to the word "district."

Amendment adopted.

On page 4, subdivision 6, line 6 of the printed bill, to the word "district" add the letter "s."

Amendment adopted.

On page 8, line 56 of the printed bill, strike out the word "in" before the word "such."

Amendment adopted.

On page 9, line 66 of the printed bill, after the word "minutes" strike out the comma.

Amendment adopted.

On page 13, subdivision 11, line 9 of the printed bill, after the word "computed" insert a comma.

Amendment adopted.

On page 17, subdivision 24, line 37 of the printed bill, after the letter "n" in "disincorporation" and before the quotation insert a comma.

Amendment adopted.

On page 18, line 45 of the printed bill, after the word "disincorporation" insert a comma.

Amendment adopted.

On page 18, line 50 of the printed bill, after the word "hereof" insert a comma.

Amendment adopted.

On page 18, line 54 of the printed bill, after the word "thereafter" insert a comma.

Amendment adopted.

On page 18, line 55 of the printed bill, after the word "existing" insert the word "school."

Amendment adopted.

Bill read second time, and ordered to print and on file for third reading.

RECESS.

At five o'clock P. M., on motion of Senator Leavitt, the Acting President declared the Senate at recess until eight o'clock P. M. of this day.

RECONVENED.

At eight o'clock P. M. the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

INTRODUCTION OF BILL—(OUT OF ORDER).

The following bill was introduced :

By Senator Simpson: Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read first time, and on motion of Senator Simpson, ordered on file.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Wolfe:

Resolved, That Senate Bill No. 83 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Belshaw, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—31.

NOES—None.

CASE OF URGENCY.

Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

Bill read second time and considered engrossed.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 83 passed by the following vote:

AYES—Senators Bauer, Belshaw, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Simpson, Ward, Welch, and Wolfe—27.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

By Senator Simpson:

Resolved, That Assembly Bill No. 59 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring

that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and resolution refused adoption by the following vote:

AYES—Senators Anderson, Broughton, Curtin, Greenwell, Haskins, Keane, Leeke, Lukens, Lynch, Markey, Nelson, Rambo, Rush, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—19.

NOES—Senators Belshaw, Carter, Coggins, Hahn, Irish, Leavitt, Mattos, McKee, Muentner, Ralston, Rowell, and Sanford—12.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT—(OUT OF ORDER).

On motion of Senator Wolfe, Assembly Constitutional Amendment No. 2 was taken up for consideration.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

During the reading of Assembly Constitutional Amendment No. 2, the following amendments were offered:

By Senator Lukens:

Strike out in page 2, lines 23½ and 24, the words "conduits, wires."

The question being on the adoption of the amendment.

The roll was called, and the amendment lost by the following vote:

AYES—Senators Anderson, Belshaw, Carter, Curtin, Diggs, Hahn, Leavitt, Leeke, Lukens, Lynch, Muentner, Sanford, and Ward—13.

NOES—Senators Bauer, Broughton, Coggins, Greenwell, Haskins, Irish, Keane, Markey, Mattos, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Welch, and Wolfe—19.

By Senator Curtin:

On page 2, line 17½, strike out the word "parks."

The question being on the adoption of the amendment.

The roll was called, and the amendment adopted by the following vote:

AYES—Senators Anderson, Carter, Curtin, Diggs, Hahn, Leavitt, Leeke, Lukens, Mattos, McKee, Muentner, Pendleton, Ralston, Rowell, Rush, Shortridge, Simpson, Ward, and Wolfe—19.

NOES—Senators Bauer, Broughton, Coggins, Greenwell, Haskins, Irish, Keane, Markey, Nelson, Rambo, Sanford, and Welch—12.

Also:

On page 2, line 24, strike out the words "or railways."

Amendment adopted.

Also: On page 21, insert after the word "railways" on line 31 and before the first word on line 32 the following: "from the street so closed, to the street opened or established by reason of such change."

Amendment adopted.

Also: On page 2, line 24, insert before the word "wires" the word "or."

Amendment adopted.

Constitutional amendment ordered to print.

CONSTITUTIONAL AMENDMENT RECALLED FROM PRINT.

Senator Curtin moved that Assembly Constitutional Amendment No. 2 be recalled from print for the purpose of further amendment.

Motion carried.

The constitutional amendment having been recalled from print, the following amendment was offered:

By Senator Curtin:

Amend by striking out of page 2, line 31, the words "wires or railways," and inserting in lieu thereof the words "or wires."

MOTION TO POSTPONE TEMPORARILY.

Senator Wolfe moved that the further consideration of Assembly Constitutional Amendment No. 2 be temporarily postponed.

Motion carried.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Mattos:

Resolved, That Assembly Bill No. 78 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Carter, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muenster, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Ward, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Bill read second time this day.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 78 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Carter, Curtin, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—28.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

MOTION.

Senator Pendleton moved that the name of Donn J. Shields be stricken from the list of attachés at the end of this day's proceedings.

Motion carried.

APPOINTMENT BY THE SECRETARY.

The following communication was submitted by the Secretary:.

To the Officers and Members of the Senate of the State of California:

I have this day appointed Donn J. Shields to the position of Assistant Secretary of the Senate, and respectfully ask the consent of the Senate thereto. The same to take effect June 12, 1906.

LEWIS A. HILBORN, Secretary of the Senate.

On motion of Senator Pendleton, the Senate consented to the above appointment.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT.

Senator Curtin moved that the Senate now consider Assembly Constitutional Amendment No. 2.

Motion carried.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof, by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it and the uses thereof.

Senator Curtin moved that the vote be now reconsidered whereby the following amendment was adopted:

On page 2, line 24, strike out the words "or railways."

Motion carried.

Senator Curtin moved that the vote be now reconsidered whereby the following amendment was adopted:

On page 2, insert after the word "railways," on line 31, and before the first word on line 32, the following: "from the street so closed to the street opened or established by reason of such change."

Motion carried.

Senator Curtin moved that the vote be now reconsidered whereby the following amendment was adopted:

On page 2, line 24, insert before the word "wires" the word "or."

Motion carried.

AMENDMENTS WITHDRAWN.

Senator Curtin asked for, and was granted, unanimous consent to withdraw the three above amendments, the vote by which they had been adopted having been reconsidered.

CONSTITUTIONAL AMENDMENT COMMITTED TO COMMITTEE OF ONE.

Senator Wolfe moved that Assembly Constitutional Amendment No. 2 be referred to Senator Curtin, as a committee of one, for amendment.

Motion carried.

MESSAGES FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following messages from the Assembly were taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Also: Amended, and adopted as amended, Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness—and respectfully request that your honorable body concur in the amendments thereto.

Also: Amended, and passed as amended, Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund—and respectfully request that your honorable body concur in the amendments thereto.

Also: Passed, as a case of urgency, Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Also: Passed, as a case of urgency, Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Also: Adopted Senate Joint Resolution No. 3.

Also: Amended, and refused adoption, to Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

Also: Passed, as a case of urgency, Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Also: Passed Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Also: Adopted Senate Joint Resolution No. 2—Relative to asking Senators and Representatives in Congress from California to use honorable means to prevent reduction in Sundry Civil Bill.

Also: Adopted Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Also: Concurred in Senate amendments to Assembly Bill No. 78.

Also: Passed, as a case of urgency, Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

CLIO LLOYD, Chief Clerk of the Assembly.

By C. A. THOMPSON, Assistant Clerk.

The question being, "Shall the Senate concur in the following Assembly amendment to Senate Bill No. 48?"

Amend Senate Bill No. 48, in Section 1, page 2, of the printed bill, by inserting in line 42 thereof, after the words "in any," the following: "school or."

The roll was called, and the Assembly amendment to Senate Bill No. 48 concurred in by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—29.

NOES—None.

Senate Bills Nos. 61, 48, 29, 78, 82, and 60 ordered to enrollment.

Assembly Bill No. 83 read first time, and ordered on file.
Senate Joint Resolutions Nos. 2 and 3 ordered to enrollment.
Senate Constitutional Amendment No. 8 ordered to enrollment.

REPORT OF COMMITTEE OF ONE.

Senator Curtin, a special committee of one, appointed to amend Assembly Constitutional Amendment No. 2, reported the following amendments:

On line 24, page 2, of printed bill, strike out the words "wires or railway," and insert in lieu thereof the following: "or wires."

Also: On line 31, page 2, of printed bill, strike out the words "wires or railways," and insert in lieu thereof the following: "or wires from the street so closed to the street opened, established or widened by reason of such change."

The report of the committee and amendments adopted.
Constitutional amendment ordered to print.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:
By Senator Lukens:

SENATE CONCURRENT RESOLUTION No. 3.

Relative to placing marginal notes to and indexing the laws and journals of the extra session of the thirty-sixth Legislature.

Resolved by the Senate, the Assembly concurring, That there be appropriated, out of the appropriation of legislative printing, the sum of two hundred and fifty dollars (\$250.00), to be used by the Secretary of State in placing marginal notes to and indexing the laws and journals of the extra session of the thirty-sixth Legislature. The State Controller is hereby directed to draw his warrant in favor of the Secretary of State in said amount.

Resolution read.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Hahn, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Ralston, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—22.

NOES—None.

Concurrent resolution ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Leavitt:

Resolved, That Assembly Bill No. 83 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called, and Section 15 of Article IV of the Constitution suspended, and the resolution adopted by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rowell, Rush, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

NOES—None.

CASE OF URGENCY.

Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 83 finally passed by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Simpson, Ward, Welch, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Simpson:

Resolved, That Senate Bill No. 84 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The question being on the adoption of the same.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Simpson moved a call of the Senate.

Motion carried.

Time, ten o'clock and twenty-five minutes P. M.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—29.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and thirty minutes P. M., further proceedings under the call of the Senate were dispensed with, on motion of Senator Simpson.

The roll of absentees was called.

Whereupon the President announced that the resolution was adopted, and Section 15 of Article IV of the Constitution suspended, by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lynch, Markey, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—27.

NOES—Senators Irish and Mattos—2.

CASE OF URGENCY.

Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Senate Bill No. 84 passed by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Kcane, Leavitt, Leeke, Lynch, Markey, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Ward, and Wolfe—26.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following:

Senate Concurrent Resolution No. 2—Relative to adjournment.

Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding two new sections thereto, to be known as Sections 10a and 10b, relating to a license tax upon corporations, and making provision for settling the affairs of corporations where said tax has not been paid, and providing a penalty for the violation thereof.

Senate Bill No. 79—An Act to add a new section to the Civil Code to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

And report that said resolution and said bills have been correctly enrolled, and that they were presented to the Governor at eleven o'clock p. m. this 11th day of June, 1906.

KEANE, Chairman.

CONSIDERATION OF ASSEMBLY AMENDMENTS.

The question being, "Shall the Senate concur in the following Assembly amendments to Senate Constitutional Amendment No. 12?"

Strike out the words at the end of line 6, "to read as follows," and insert in lieu thereof the following: "by adding at the end thereof the following."

Also: Strike out all of Section 18 and insert in lieu thereof the following: "The City and County of San Francisco, the City of San Jose and the town of Santa Clara, may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred, by it, to commence at a time after the incurring of such indebtedness of not more than a period of one-fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void."

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Wolfe moved a call of the Senate.

Motion carried.

Time, eleven o'clock and twenty-five minutes P. M.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Savage, Shortridge, Simpson, Welch, and Wolfe—28.

At eleven o'clock and thirty minutes P. M., Senators Sanford and Lukens were brought before the bar of the Senate, and, on motion of Senator Wolfe, were excused for absence from the Senate Chamber.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At eleven o'clock and thirty-seven minutes P. M., further proceedings under the call of the Senate were dispensed with, on motion of Senator Wolfe.

The roll of absentees was called.

Whereupon the President announced that the Senate had concurred in Assembly amendments to Senate Constitutional Amendment No. 12 by the following vote:

AYES—Senators Anderson, Bauer, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Muentner, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Welch, and Wolfe—29.

NOES—Senator Irish—1.

Senate Constitutional Amendment No. 12 ordered to enrollment.

CONCURRENT RESOLUTION RECALLED FROM THE ASSEMBLY.

On motion of Senator Leavitt, Senate Concurrent Resolution No. 3 was ordered recalled from the Assembly.

Senate Concurrent Resolution No. 3 having been recalled from the Assembly.

Senator Lukens moved to reconsider the vote whereby Senate Concurrent Resolution No. 3 was this day adopted.

Motion carried.

CONCURRENT RESOLUTION WITHDRAWN.

Senator Lukens asked for, and was granted, unanimous consent to withdraw Senate Concurrent Resolution No. 3.

Senate Concurrent Resolution No. 3 withdrawn.

CONSIDERATION OF CONSTITUTIONAL AMENDMENT.

Senator Wolfe moved that Assembly Constitutional Amendment No. 2 be now considered.

Motion carried.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that article eleven of the Constitution of the State of California be amended by adding a new section thereto, to be known as and numbered twenty, and to read as follows:

Section 20. For and during the period of two years from the date of the adoption hereof, the City and County of San Francisco, by ordinance adopted by a two-thirds vote of its Board of Supervisors and approved by its Mayor, may acquire, by purchase, condemnation, or donation, lands to be used for streets, parks, boulevards, reservoirs or esplanades, or may acquire, by purchase, condemnation or donation, lands to be exchanged for lands to be used for streets, parks, boulevards, reservoirs or esplanades, and may sell, or may exchange, lands now used or hereafter to be acquired by it for streets, boulevards, reservoirs, or esplanades for other lands to be used for the same or similar purposes; and may sell, or exchange for other lands to be used for the same, or similar purposes, any lands now or heretofore used by it, as sites for public or municipal buildings, and may change, widen or extend the lines of its streets; and, where made necessary by the changing, widening, extension, or closing, in whole or in part of any such streets, may change the lines or routes of any pipe, pipe lines, conduits or wires heretofore constructed or laid under the privilege granted by Section 19 of Article XI of this Constitution by any person, firm or corporation in or upon any of such streets, and may alter the terms of any such privilege now or heretofore held or enjoyed by any person, firm or corporation, on any street so changed, widened, extended or closed, only to the extent of changing the lines or routes of any such pipe, pipe lines, conduits or wires from the street so closed to the street opened, established or widened by reason of such change; *provided*, that no lands now owned by said City and County of San Francisco shall be sold or exchanged unless such sale or exchange shall first be authorized by a majority of the voters of said city and county voting thereon, at a special election called for the purpose of such authorization, but this shall not be construed to prevent any exchange of such lands acquired by the said city and county after the date of the adoption by the Legislature of the resolution submitting this amendment to the people, for street purposes as herein provided; *provided, further*, that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions hereof, *and also provided* that nothing in this section contained shall be construed as to confer upon the boards of supervisors any power or authority, beyond that at this date possessed by it, to extend the term or time of existence, or conditions, of any privilege or franchise. In all cases proper compensation shall be allowed for all property or rights taken, acquired, or affected by such action. No property or rights shall be taken without the consent and concurrence of persons owning the same, except under the right of eminent domain and according to law. *Provided*, that the City and County of San Francisco, by ordinance adopted as above, may, at any time within two years from the adoption of this amendment, donate to the State of California, any lot of land now owned or hereafter acquired by said city and county as a site for the erection of a building for State officers in said city and county, or may lease to said State for a term not exceeding ninety-nine years a lot for that purpose.

Constitutional amendment read.

The question being on the adoption of the constitutional amendment.

The roll was called, and Assembly Constitutional Amendment No. 2 adopted by the following vote:

AYES—Senators Anderson, Broughton, Coggins, Curtin, Diggs, Greenwell, Hahn, Haskins, Irish, Keane, Leavitt, Leeke, Lukens, Lynch, Markey, Mattos, McKee, Nelson, Pendleton, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Welch, and Wolfe—29.

NOES—Senator Rowell—1.

Constitutional amendment ordered transmitted to the Assembly.

LEAVES OF ABSENCE.

Senator Rowell was, on his own motion, granted leave of absence for June 12, 1906.

Senator Hahn was, on his own motion, granted leave of absence for June 12, 1906.

Senator Curtin was, on his own motion, granted leave of absence for June 12, 1906.

Senator Lynch was, on his own motion, granted leave of absence for June 12, 1906.

ADJOURNMENT.

At eleven o'clock and fifty-five minutes P. M., on motion of Senator Leavitt, the Senate was declared adjourned.

IN SENATE.

SENATE CHAMBER,

Tuesday, June 12, 1906. }

Pursuant to adjournment, the Senate met at eleven o'clock A. M. Hon. E. I. Wolfe, President pro tem. of the Senate, in the chair.

The roll was called, and the following answered to their names:

Senators Belshaw, Broughton, Carter, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Markey, Muentner, Nelson, Ralston, Rambo, Rowell, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—23.

Quorum present.

PRAYER.

Prayer by the Chaplain, Rev. C. L. Miel.

READING OF THE JOURNAL.

During the reading of the Journal of Monday, June 11, 1906, the further reading was dispensed with, on motion of Senator Belshaw.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Belshaw, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 83 ordered to enrollment.

CASE OF URGENCY.

On motion of Senator Leavitt, the following bill was taken up for consideration under the provisions of a resolution, suspending the Constitution, adopted yesterday:

Assembly Bill No. 76—An Act appropriating \$2,500 for restoring

certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Bill read second time.

Read third time.

The question being on the passage of the bill.

The roll was called, and Assembly Bill No. 76 finally passed by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Markey, Mattos, Nelson, Rush, Sanford, Shortridge, Simpson, Ward, Welch, and Wolfe—21.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Assembly.

CONSIDERATION OF SPECIAL ORDER.

The special order heretofore set for this hour, being the consideration of the Governor's message, the same was taken up.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 11, 1906.

To the Senate of the State of California:

I have the honor to inform your honorable body that, since the adjournment of the thirty-sixth regular session of the Legislature, I have made the following appointments, and request your concurrence therein and consent thereto:

April 7, 1905—Tirey L. Ford, of San Francisco, a member of the State Board of Prison Directors, vice R. M. Fitzgerald, term expired.

April 16, 1906—J. F. Campbell, of Maxwell, a trustee of the State Normal School at Chico, vice Richard Belcher, resigned.

September 21, 1905—Thomas Addison, of Berkeley, a trustee of the State Normal School at San José, vice self, term expired.

April 7, 1905—J. M. Allen, of San Francisco, a trustee of the State Normal School at San Francisco, vice Frank W. Marston, term expired.

November 14, 1905—Geo. I. Cochran, of Los Angeles, a trustee of the State Normal School at Los Angeles, vice C. D. Willard, resigned.

November 14, 1905—John Wasson, of Pomona, a trustee of the State Normal School at Los Angeles, vice self, term expired.

May 29, 1905—S. C. Irving, of San Francisco, a director of the California Home for the Care and Training of Feeble-Minded Children, vice Wm. Thomas, resigned.

November 4, 1905—Frank M. Wilson, of Berkeley, a director of the California Institution for the Deaf and Blind, vice John G. Mattos, Jr., resigned.

January 30, 1906—C. C. Desmond, of Los Angeles, a trustee of the Whittier State School, vice Walter Lindley, resigned.

May 22, 1905—Eugene De Burn, of San Diego, a member of the Board of State Harbor Commissioners for the Bay of San Diego, vice self, term expired.

August 14, 1905—Herman Silver, of Los Angeles, a Bank Commissioner of the State of California, vice self, term expired.

October 6, 1905—N. Blackstock, of Ventura, a Bank Commissioner of the State of California, vice self, term expired.

April 5, 1906—E. Myron Wolf, of San Francisco, Insurance Commissioner of the State of California, vice self, term expired.

November 10, 1905—Robert Wankowski, of Los Angeles, Brigadier-General, First Brigade, National Guard of California.

June 19, 1905—John A. Koster, of San Francisco, Brigadier-General, Second Brigade, National Guard of California.

GEO. C. PARDEE,
Governor of the State of California.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Tirey L. Ford, of San Francisco, a member of the State Board of Prison Directors, vice R. M. Fitzgerald, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Markey, Mattos, Muenter, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Welch, and Wolfe—25.

NOES—None.

Whereupon the President pro tem. announced that the appointment of Tirey L. Ford, of San Francisco, a member of the State Board of Prison Directors, vice R. M. Fitzgerald, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of J. F. Campbell, of Maxwell, a trustee of the State Normal School at Chico, vice Richard Belcher, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Markey, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—26.
NOES—None.

Whereupon the President pro tem. announced that the appointment of J. F. Campbell, of Maxwell, a trustee of the State Normal School at Chico, vice Richard Belcher, resigned, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Thomas Addison, of Berkeley, a trustee of the State Normal School at San José, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—25.
NOES—None.

Whereupon the President pro tem. announced that the appointment of Thomas Addison, of Berkeley, a trustee of the State Normal School at San José, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of J. M. Allen, of San Francisco, a trustee of the State Normal School at San Francisco, vice Frank W. Marston, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—24.
NOES—None.

Whereupon the President pro tem. announced that the appointment of J. M. Allen, of San Francisco, a trustee of the State Normal School at San Francisco, vice Frank W. Marston, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of George I. Cochran, of Los Angeles, a trustee of the State Normal School at Los Angeles, vice C. D. Willard, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—23.
NOES—None.

Whereupon the President pro tem. announced that the appointment of George I. Cochran, of Los Angeles, a trustee of the State Normal School at Los Angeles, vice C. D. Willard, resigned, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of John Wasson, of Pomona, a trustee of the State Normal School at Los Angeles, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Rambo, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—22.

NOES—None.

Whereupon the President pro tem. announced that the appointment of John Wasson, of Pomona, a trustee of the State Normal School at Los Angeles, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of S. C. Irving, of San Francisco, a director of the California Home for the Care and Training of Feeble-Minded Children, vice Wm. Thomas, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Rambo, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—22.

NOES—None.

Whereupon the President pro tem. announced that the appointment of S. C. Irving, of San Francisco, a director of the California Home for the Care and Training of Feeble-Minded Children, vice William Thomas, resigned, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Frank M. Wilson, of Berkeley, a director of the California Institution for the Deaf and Blind, vice John G. Mattos, Jr., resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Ward, and Wolfe—21.

NOES—None.

Whereupon the President pro tem. announced that the appointment of Frank M. Wilson, of Berkeley, a director of the California Institution for the Deaf and Blind, vice John G. Mattos, Jr., resigned, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of C. C. Desmond, of Los Angeles, a trustee of the Whittier State School, vice Walter Lindley, resigned?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Ward, and Wolfe—22.

NOES—None.

Whereupon the President pro tem. announced that the appointment of C. C. Desmond, of Los Angeles, a trustee of the Whittier State School, vice Walter Lindley, resigned, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Eugene De Burn, of San Diego, a member of the Board of State Harbor Commissioners for the Bay of San Diego, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—24.

NOES—None.

Whereupon the President pro tem. announced that the appointment of Eugene De Burn, of San Diego, a member of the Board of State Harbor Commissioners for the Bay of San Diego, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Herman Silver, of Los Angeles, a Bank Commissioner of the State of California, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Ward, and Wolfe—21.

NOES—None.

Whereupon the President pro tem. announced that the appointment of Herman Silver, of Los Angeles, a Bank Commissioner of the State of California, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of N. Blackstock, of Ventura, a Bank Commissioner of the State of California, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Ralston, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, and Wolfe—23.

NOES—None.

Whereupon the President pro tem. announced that the appointment of N. Blackstock, of Ventura, a Bank Commissioner of the State of California, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of E. Myron Wolf, of San Francisco, Insurance Commissioner of the State of California, vice self, term expired?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Rambo, Rush, Sanford, Savage, Shortridge, Ward, Welch, and Wolfe—22.

NOES—None.

Whereupon the President pro tem. announced that the appointment of E. Myron Wolf, of San Francisco, Insurance Commissioner of the State of California, vice self, term expired, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of Robert Wankowski, of Los Angeles, Brigadier-General, First Brigade, National Guard of California?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, Muentner, Nelson, Rambo, Rush, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—23.

NOES—None.

Whereupon the President pro tem. announced that the appointment of Robert Wankowski, of Los Angeles, Brigadier-General, First Brigade, National Guard of California, had been duly confirmed.

The President pro tem. put the question, "Will the Senate advise and consent to the appointment of John A. Koster, of San Francisco, Brigadier-General, Second Brigade, National Guard of California?"

The roll was called, with the following result:

AYES—Senators Anderson, Belshaw, Broughton, Coggins, Diggs, Greenwell, Haskins, Irish, Leavitt, Leeke, Lukens, Mattos, McKee, Muenter, Nelson, Rambo, Sanford, Savage, Shortridge, Simpson, Ward, Welch, and Wolfe—23.

NOES—None.

Whereupon the President pro tem. announced that the appointment of John A. Koster, of San Francisco, Brigadier-General, Second Brigade, National Guard of California, had been duly confirmed.

CONSIDERATION OF JOINT RESOLUTION—(OUT OF ORDER).

On motion of Senator Shortridge, Senate Joint Resolution No. 1 was taken up for consideration.

SENATE JOINT RESOLUTION No. 1.

Relative to the cession of Yerba Buena Island to the State of California.

WHEREAS, The port of San Francisco is the gateway of the Orient and it is desirable to have rapid transportation of commerce through the Golden Gate; and

WHEREAS, Yerba Buena Island, in the bay of San Francisco, is now of limited use to the Federal Government, but might be made of vast commercial importance to the United States as a railroad terminal. Now therefore, be it

Resolved by the Senate of the State of California, and the Assembly, jointly, That the United States of America be and it is hereby requested to cede said Yerba Buena Island to the State of California for a railroad terminal, upon the express condition that all transcontinental, local, urban, and interurban railroads may have the right to use said Yerba Buena Island as a railroad terminal, under such regulations, restrictions and charges, as may be appointed and fixed by the State of California.

Resolved, That the Secretary of the Senate forthwith mail a copy of this resolution to the President of the United States, and the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States.

Joint resolution read and adopted.

Joint resolution ordered transmitted to the Assembly.

INTRODUCTION OF CONCURRENT RESOLUTION.

The following concurrent resolution was introduced:

By Senator Shortridge:

SENATE CONCURRENT RESOLUTION No. 4.

WHEREAS, The people of San Francisco, San José, Santa Rosa and other cities, and, indeed, the whole State of California, owe much to the military forces of the United States and to the National Guard of California for their efficient services rendered since the disaster of April 18, 1906; and

WHEREAS, It is fit and proper that recognition should be given in the most public manner, and due acknowledgment made, to the officers and men of both services, of the debt of gratitude owed them by the State; and

WHEREAS, Commencing at an early hour on the morning of April 18th last and continuing down to this date, the troops of the Regular Army, under the command of Major-General A. W. Greely and Brigadier-General Frederick Funston, have been tireless in the work of preserving order, suppressing turbulence, administering relief to the sick and needy, and improving sanitary conditions; and

WHEREAS, The troops of the Second Brigade of the National Guard of California, from an early hour of the first day of the great disaster, and the other brigades, as soon as they could be transported to the points where they were most needed, under command of Adjutant-General J. B. Lauck, continued in the faithful performance of duty until such time as their presence was no longer needed. And while a great city was in flames and hundreds of thousands of people had suddenly been rendered homeless, the conduct of the officers and men of the National Guard was in the highest degree soldierly, efficient and creditable; be it

Resolved, That the people of the State of California, through its representatives in Senate and Assembly assembled, hereby makes public recognition of its grateful

appreciation of the services rendered by the officers and men of the Regular Army and the National Guard in one of the greatest calamities that ever convulsed a brave, a resolute, and a resourceful people.

Concurrent resolution read and adopted.

Concurrent resolution ordered transmitted to the Assembly.

PRESIDENT ANDERSON IN THE CHAIR.

At ten o'clock and thirty minutes A. M., Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

RESOLUTION—(OUT OF ORDER).

The following resolution was offered:

By Senator Shortridge:

Resolved by the Senate and Assembly of the State of California, jointly, That we ask of the Government of the United States for the same square deal to the states and civic corporations; and that Congress frame and pass, and the President sign, a law, that while it will allow the State of California and City of San Francisco to get money of the Government at a total cost of one per cent per dollar on their bonds, will also allow other States, municipalities, and civic corporations to do the same, when once such general law is passed, "so that government of the people, by the people, and for the people may not perish from the earth"; and be it further

Resolved, That we call on the noble people of the common country who so sincerely sympathized with the people of San Francisco in distress, to rally to aid in obtaining such legislation of Congress, and thus San Francisco's misfortune will be a blessing in disguise, in being the means to the beneficent end of providing for ready relief in such emergencies as the Chicago fire, Johnstown flood, Galveston tidal wave, and other calamities likely to occur hereafter in any State, city, or town in the Union, as recently befell California, and some of its cities, villages, and towns; and be it further

Resolved, That the Governor, Hon. George C. Pardee, be requested to forward these resolutions to President Roosevelt and the California delegation in Congress, with the request for action as soon as possible, by Congress, for the above legislation.

Resolution read and adopted.

REPORTS OF STANDING COMMITTEES—(OUT OF ORDER).

The following reports of standing committees were received and read:

ON FINANCE.

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: Your Committee on Finance, to whom was referred Senate Bill No. 9—An Act appropriating \$41,480 to reimburse the Regents of the University of California, for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

Also: Senate Bill No. 10—An Act appropriating twenty-seven thousand and thirty-nine and eighty-six one-hundredths (\$27,039.86) dollars to enable the Regents of the University of California to restore certain property damaged and destroyed upon the Campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinic, college of pharmacy, medical, medical "out-patient" section, stationery, anthropology, publications, library, Wilmerding School, and Lick Observatory, which said property is necessary for the maintenance of the University of California.

Also: Senate Bill No. 11—An Act appropriating eight thousand six hundred and forty-one and fifty one-hundredths (\$8,641.50) to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

Also: Senate Bill No. 12—An Act appropriating \$8,600 to the Regents of the University of California to enable them to repair certain damage to the Dental, Medical, Western and Veterinary buildings of the Affiliated Colleges, which said buildings are the property of and necessary to the maintenance of the University of California.

Have had the same under consideration, and respectfully report the same back and recommend that they do not pass.

BELSHAW, Chairman.

ON CONTINGENT EXPENSES.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. PRESIDENT: Your Committee on Contingent Expenses, to whom was referred the following resolution:

Resolved, That the Controller of the State be and he is hereby directed to draw his warrant upon the Contingent Fund of the Senate for the sum of twenty-five (\$25.00) dollars in favor of J. G. McCall, for services in preparing and mailing copies of the chapters of all bills signed by the Governor at the close of this special session, and the Treasurer is directed to pay the same.

Have had the same under consideration, and respectfully report the same back and recommend that it be adopted.

WOLFE, Chairman.

Report and resolution read and adopted.

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following:

Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University Cadets, called into service by order of the Governor in the months of April, May and June, 1906.

Senate Joint Resolution No. 3.

And report that the same have been correctly enrolled, and that they were presented to the Governor at ten o'clock A. M. this 12th day of June, 1906.

KEANE, Chairman.

LEAVE OF ABSENCE.

Senator Belshaw was, on his own motion, granted leave of absence for June 12, 1906, after eleven o'clock and thirty minutes A. M.

CONSIDERATION OF DAILY FILE.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

On motion of Senator Leavitt, further consideration of Assembly Constitutional Amendment No. 3 was indefinitely postponed.

Senate Constitutional Amendment No. 10 read.

The question being on the adoption of Senate Constitutional Amendment No. 10.

The roll was called.

CALL OF THE SENATE.

Pending the announcement of the vote, Senator Leavitt moved a call of the Senate.

Motion carried.

Time, ten o'clock and fifty minutes A. M.

The President directed the Sergeant-at-Arms to close the doors.

The doors were closed, and the Secretary was directed to call the roll.

The roll was called, and the following answered to their names:

Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Irish, Keane, Leavitt, Leeke, and Lukens—12.

FURTHER PROCEEDINGS UNDER CALL OF THE SENATE DISPENSED WITH.

At ten o'clock and fifty-five minutes A. M., further proceedings under the call of the Senate were dispensed with, on motion of Senator Leavitt.

The roll of absentees was called.

Whereupon the President announced that Senate Constitutional Amendment No. 10 was refused adoption by the following vote:

AYES—Senators Anderson, Belshaw, Broughton, Carter, Coggins, Diggs, Greenwell, Haskins, Keane, Leavitt, Lecke, Lukens, McKee, Muentner, Rambo, Sanford, Savage, Shorridge, Ward, Welch, and Wolfe—22.

NOES—Senator Irish—1.

Senate Constitutional Amendment No. 9—Proposed amendment to Article IV, Section 31, of the Constitution of the State of California, relating to the power of the Legislature to make or authorize the making of any gift of any public money or thing of value to any individual in this or other corporation.

On motion of Senator Belshaw, further consideration of Senate Constitutional Amendment No. 9 was indefinitely postponed.

MOTION.

Senator Leavitt moved that the consideration of Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906.

Also: Assembly Bill No. 37—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Also: Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Be indefinitely postponed.

Motion carried.

RECESS.

At eleven o'clock A. M., on motion of Senator Leavitt, the President declared the Senate at recess for five minutes.

RECONVENED.

At eleven o'clock and five minutes A. M., the Senate reconvened.

Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate amendments to Assembly Constitutional Amendment No. 2.

And hereby return, as per your request, Senate Concurrent Resolution No. 3.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

RECESS.

At eleven o'clock and fifteen minutes A. M., on motion of Senator Leavitt, the President declared the Senate at recess for fifteen minutes.

RECONVENED.

At eleven o'clock and thirty minutes A. M., the Senate reconvened. Lieutenant-Governor Alden Anderson, President of the Senate, in the chair.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following:

Senate Joint Resolution No. 2.

Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein, the record of which has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

And report that the same have been correctly enrolled, and that they were presented to the Governor at eleven o'clock and fifteen minutes A. M., this 12th day of June, 1906.

KEANE, Chairman.

RESOLUTION.

The following resolution was offered:

By Senator Lukens:

Resolved, That a committee of three be appointed by the President of the Senate, to wait upon the Governor and inform His Excellency that the Senate is about to adjourn, and awaits his pleasure.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the President appointed Senators Lukens, Wolfe, and Diggs, a committee to notify the Governor that the Senate, thirty-sixth (extra) session, is about to adjourn *sine die*, and awaits his pleasure for further communication, if he has any, before so adjourning.

RESOLUTION.

The following resolution was offered:

By Senator Shortridge:

Resolved, That a committee of three be appointed by the President of the Senate to notify the Assembly that the Senate is ready to adjourn, and ask if the Assembly has any further communications to present to the Senate.

Resolution read and adopted.

APPOINTMENT OF COMMITTEE.

In accordance with the above resolution, the President appointed Senators Shortridge, Savage, and Sanford to notify the Assembly of the readiness of the Senate to adjourn *sine die*.

APPROVAL OF JOURNALS.

The Journals of Saturday, June 9, and Monday, June 11, 1906, having been previously read and corrected, were approved.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day passed, as a case of urgency, Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

Senate Bill No. 84 ordered to enrollment.

REPORT OF SPECIAL COMMITTEE.

Senators Shortridge, Savage, and Sanford, the special committee appointed to notify the Assembly that the Senate was ready to adjourn *sine die*, reported that they had performed the duties assigned them.

REPORT OF SPECIAL COMMITTEE.

Senator Lukens, as chairman of the committee appointed to wait upon the Governor to inform him of the Senate's readiness to adjourn, reported that the Governor informed the committee that he would communicate with the Senate by message.

MESSAGES FROM THE GOVERNOR.

The following message from the Governor was received and read, on motion of Senator Leavitt:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 12, 1906.

To the Senate of the State of California:

I have the honor to inform your honorable body that I have approved Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

GEO. C. PARDEE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 12, 1906.

To the Senate and Assembly:

GENTLEMEN: Now that you have reached the conclusion of your labors in the extraordinary session called as a consequence of the late unparalleled disaster, it gives me great pleasure to address you, before final adjournment is taken, a few words of acknowledgment and congratulation.

The Senate and Assembly were called together for the purpose of meeting, by legislation, some of the new conditions so suddenly created and of preventing certain threatening dangers. The measures which had been suggested, and to which I directed attention in my message, were emergency measures, calling for prompt and decisive action. It gratifies me to be able to say that the Legislature has risen to the occasion, and by the promptitude and the vigor of its acts has proved itself competent to deal with the situation. It has furnished an example of diligence and devotion to duty which must long be regarded as a model. I do not believe there is any record of legislative bodies which have worked harder or accomplished more in a space of time as brief as that occupied by this session.

During the first two days of the meeting five especially urgent measures were passed and became laws, safeguarding business interests which, until that action was taken, could only be protected by proclaiming every day a holiday, in order that valuable rights might not lapse and be lost. In the eleven days which have passed since the Legislature convened more than sixty bills have been passed, and notwithstanding the brevity of the time in which this has been accomplished, I am convinced that these measures have been studied as carefully as legislative measures usually are. Some of the new Acts are experimental in character, and necessarily so, because they are designed to meet conditions with which we have had no previous experience, and if imperfections should be developed it would not be strange; no foresight is keen enough to anticipate all possible difficulties; but I am satisfied that the Legislature has done all which could have been done by any body of men working under the trying conditions which have confronted you.

In my call for the extraordinary session I enumerated thirty-four different subjects to be covered by the enactment of statutes or the submission of constitutional amendments, and about thirty of these subjects have been so covered. In the other instances it has been decided, after careful deliberation, that it would be wisest not to act. In addition to emergency and remedial measures rendered necessary by the interruption to many forms of business, the Legislature has passed the required acts of appropriation for State institutions which suffered serious damage, and for various courts, boards, commissions, and offices, crippled by the loss of property. In the cases of several of the State institutions whose buildings were partially or totally destroyed, the provision made is temporary, because more thorough study is needed before it can be decided on what lines permanent reconstruction can best be attempted, and this determination to proceed deliberately is highly commendable. One of the important acts of the session is the making of a liberal appropriation for

a State building in San Francisco, in which can be suitably housed the courts, commissions, and officers hitherto accommodated in rented quarters. Another appropriation will provide for the reconstruction, at least in part, of the burned structures of the State Harbor Commission.

It is a cause for especial congratulation that these and the other necessary appropriations, including one for the payment of expenses of the National Guard, have been made without compelling the alteration of the tax levy fixed at the last regular session. Thus, the only increase in the State tax rate of the coming year over what had been expected when the levy was fixed will be that arising from the decrease of the assessment roll caused by the San Francisco calamity, and there is reason to hope this will not be great enough to raise the rate of taxation more than a few cents above the normal rate. This good fortune is due to the prudence of the Legislature manifested at the two preceding sessions by raising by taxation sufficient money to leave a good cash balance in the General Fund, whereby it is enabled to stand the large extraordinary drafts now made upon it.

Although comparisons are seldom in good taste, it will not be improper to point out that the extraordinary session now closing has not only been the briefest, but also the most efficient and one of the least expensive of all of the five extraordinary sessions of the Legislature of this State. In some instances those sessions have extended to nearly two months of time, while the session of 1900, the briefest until this one, lasted twelve days, as compared with the eleven days of the present session. Measured by the amount of work accomplished, the record is even more favorable, since the number of bills passed is more than twice as great as that in any preceding extraordinary session, although the time consumed has been so much less. As compared with a majority of previous extraordinary sessions, it may be said that this one has done twice the work in one half the time.

Upon this record the Legislature may rest content, and I feel sure that it will receive the public commendation which it so well deserves.

I congratulate you again, and feel sure that your labors, so well performed, will result in great good, not only directly to the cities and communities that suffered under the great catastrophe, but indirectly also to the people of the whole State.

GEO. C. PARDEE,
Governor of the State of California.

MESSAGE FROM THE ASSEMBLY.

On motion of Senator Leavitt, the following message from the Assembly was taken up and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: I am directed to inform your honorable body that the Assembly on this day concurred in Senate Concurrent Resolution No. 4.

Also: Adopted Senate Joint Resolution No. 1.

CLIO LLOYD, Chief Clerk of the Assembly.
By C. A. THOMPSON, Assistant Clerk.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENROLLED AND ENGROSSED BILLS.

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. PRESIDENT: Your Committee on Enrolled and Engrossed Bills beg leave to report that they have examined the following bill:

Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

And report that the same has been correctly enrolled, and that it was presented to the Governor at twelve o'clock M., this 12th day of June, 1906.

KEANE, Chairman.

REPORT OF SENATE COMMITTEE.

Senator Shortridge, as chairman of the committee appointed to wait upon the Assembly to inform that body that the Senate had no further communication to transmit to the Assembly and was now prepared for final adjournment, reported that they had waited upon the Assembly and so informed that body.

REPORT OF ASSEMBLY COMMITTEE.

An Assembly committee, Mr. Creighton chairman, appeared at the bar of the Senate and announced that the Assembly had no further communications to transmit to the Senate, and was now prepared for final adjournment.

APPROVAL OF MINUTES.

The minutes of Tuesday, June 12, 1906, were read and approved.

FINAL ADJOURNMENT.

Whereupon, at twelve o'clock M., in accordance with the provisions of Senate Concurrent Resolution No. 2, the President declared the Senate adjourned, as follows:

Before declaring adjournment, I desire to compliment the members of the Senate; in fact, the members of the entire Legislature, on the expeditious, careful, economical, and conscientious manner in which they have performed the duties devolving upon them.

The attachés and employés are also entitled to commendation for the careful and diligent manner in which they have performed their work.

All connected with the session seem to have been animated by the same spirit, and have faithfully labored to meet all the necessities of the extraordinary occasion, and I hope the remedial measures adopted will provide the relief that their most ardent friends hope for.

I now, in conformity with Senate Concurrent Resolution No. 2, duly adopted by the Legislature, declare the extraordinary session of the thirty-sixth session of the Legislature of California adjourned *sine die*.

ALDEN ANDERSON,
President of the Senate.

LEWIS A. HILBORN,
Secretary of Senate.

D. G. HOLT,
Minute Clerk of Senate.

H. G. WRIGHT,
Journal Clerk of Senate.



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The figures refer to pages of the Journal; those pages marked with an asterisk () refer to the Assembly Journal.*

- 1—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1187a, concerning the time of filing of claims of lien.
In Senate: June 2—Introduced by Senator Belshaw, 5; referred to Committee on Judiciary, 5; read first time, 5; from committee, with recommendation committee substitute do pass, 19; case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second time, substitute submitted, read and adopted, to print, engrossment, and third reading, 21; read third time, 24; to special committee for amendment, 24; to printer as amended, and to engrossment, 25. June 3—Read third time, passed, title approved, and to Assembly, 27.
In Assembly: June 3—Senate message, 40*; made case of urgency, Section 15, Art. IV of Constitution suspended, read first, second, and third times, and to Senate, 43*.
In Senate: June 3—Ordered to enrollment, 29; reported correctly enrolled, 31; approved by Governor, 50.
- 2—An Act validating acts done or performed on legal holidays.
In Senate: June 2—Introduced by Senator Lukens, 5; referred to Committee on Judiciary, 5; read first time, 5. June 4—From committee, with recommendation do not pass, 37.
- 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.
In Senate: June 2—Introduced by San Francisco Delegation, 5; referred to Committee on Judiciary, 5; made case of urgency, Sec. 15, Art. IV of Constitution suspended, read first time, 6; from committee, with recommendation do pass as amended, 20; referred to committee, 21; read second time, amended, to print and engrossment, 25. June 3—Read third time, passed, title approved, and to Assembly, 27.
In Assembly: June 3—Senate message, 40*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, read first, second and third times, and to Senate, 44*.
In Senate: June 3—Ordered to enrollment, 29; reported correctly enrolled, 31; approved by Governor, 50.
- 4—An Act to amend Sections 237 and 339 of the Code of Civil Procedure, relating to the limitation of actions.
In Senate: June 2—Introduced by San Francisco Delegation, 6; referred to Committee on Judiciary, 6; read first time, 6; from committee, with recommendation do pass, 20; made case of urgency, Sec. 15, Art. IV of Constitution suspended, read second time and considered engrossed, 21; read third time, passed, title approved, and to Assembly, 21.
In Assembly: June 2—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, read, first, second, and third times, and to Senate, 36*.
In Senate: June 2—To enrollment, 24. June 3—Reported correctly enrolled, 29; approved by Governor, 31.
- 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.
In Senate: June 2—Introduced by Senator Muentert, 6; referred to Committee on Commerce and Navigation, 6; read first time, 6. June 3—From committee, with recommendation do pass as amended, 31; read second time, amended, title

amended and to engrossment and printer, 32. June 4—Recalled from engrossment for purpose of amendment, 35; amended and to reengrossment, 35. June 5—Reported correctly reengrossed, 39; read third time, passed, title approved, and to Assembly, 40.

In Assembly: June 5—Read first time, and referred to Committee on Judiciary, 61*. June 7—From committee with recommendation do pass as amended, 70*; read second time, amended, ordered engrossed and to third reading, 86*; June 8—Read third time, passed, title approved, and to Senate, 109*.

In Senate: June 8—Senate message, 89; Assembly amendments concurred in and to enrollment, 90. June 9—Reported correctly enrolled, 105. June 11—Approved by Governor, 122.

- 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

In Senate: June 2—Introduced by Senator Belshaw, 6; referred to Committee on Finance, 6; read first time, 6. June 5—From committee, with recommendation do pass, 38. June 6—Read second time, to engrossment and third reading, 56. June 7—Reported correctly engrossed, 62; read third time, passed, title approved, and to Assembly, 64.

In Assembly: June 7—Read first time, referred to Committee on Ways and Means, and ordered on file, 83*. June 8—From committee, with recommendation do pass, 100*; read second time and considered in Committee of the Whole, committee report do pass, 101*; made case of urgency, 125*; read third time, passed, title approved, and to Senate, 134*.

In Senate: June 9—To enrollment, 106. June 11—Reported correctly enrolled, 125.

- 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

In Senate: June 2—Introduced by Senator Belshaw, 6; referred to Committee on Finance, 6; read first time, 6. June 5—From committee, with recommendation do pass, 38. June 6—Read second time, to engrossment and third reading, 56. June 7—Reported correctly engrossed, 63; read third time, passed, title approved, and to Assembly, 64.

In Assembly: June 7—Read first time, and to Committee on Ways and Means, 83*. June 8—Committee recommend do pass, 101*; read second time, considered in Committee of Whole, and committee recommend do pass and ordered to third reading, 102*; made case of urgency, 125*; read third time, passed, title approved, and to Senate, 129*.

In Senate: June 9—To enrollment, 106; reported correctly enrolled, 112.

- 8—An Act appropriating \$123,392.31 to reimburse the Regents of the University of California, for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California.

In Senate: June 2—Introduced by Senator Lukens, 6; referred to Committee on Finance, 6; read first time, 6. June 6—From committee, with recommendation committee substitute do pass, 59; committee substitute adopted, 60. June 7—Reported correctly engrossed, 63; read third time, passed, title approved and to Assembly, 66.

In Assembly: June 7—Read first time, to Committee on Ways and Means, and ordered to second reading, 83*. June 8—Read second time, and considered in Committee of Whole, committee substitute ordered to third reading, 100*; made case of urgency, 125*. June 9—Read third time, passed, title approved, and to Senate, 134*.

In Senate: June 9—Ordered to enrollment, 106. June 11—Reported correctly enrolled, and to Governor, 125.

- 9—An Act appropriating \$41,480 to reimburse the Regents of the University of California, for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

In Senate: June 2—Introduced by Senator Lukens, 6; referred to Committee on Finance, 6; read first time, 6. June 12—From committee, with recommendation do not pass, 150.

- 10—An Act appropriating twenty-seven thousand and thirty-nine and eighty-six one-hundredths (\$27,039.86) dollars to enable the Regents of the University of California to restore certain property damaged and destroyed upon the Campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinic, college of pharmacy, medical, medical "out-patient" section, stationery, anthropology, publications, library, Wilmerding School, and Lick Observatory, which said property is necessary for the maintenance of the University of California.

In Senate: June 2—Introduced by Senator Lukens, 6; referred to Committee on Finance, 7; read first time, 7. June 12—From committee, with recommendation do not pass, 150.

- 11—An Act appropriating eight thousand six hundred and forty-one and fifty one-hundredths (\$8,641.50) to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.
In Senate: June 2—Introduced by Senator Lukens, 7; referred to Committee on Finance, 7; read first time, 7. June 12—From committee, with recommendation do not pass, 150.
- 12—An Act appropriating \$8,600 to the Regents of the University of California to enable them to repair certain damage to the Dental, Medical, Western and Veterinary buildings of the Affiliated Colleges, which said buildings are the property of and necessary to the maintenance of the University of California.
In Senate: June 2—Introduced by Senator Lukens, 7; referred to Committee on Finance, 7; read first time, 7. June 12—From committee, with recommendation do not pass, 150.
- 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the 5th day of August, 1905, said penalty having been erroneously collected between and including the 8th day of August, 1905, and the 12th day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc., Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.
In Senate: June 2—Introduced by Senator Belshaw, 7; referred to Committee on Revenue and Taxation, 7; read first time, 7. June 5—From committee, with recommendation do pass, 39. June 6—Read second time, and to engrossment and third reading, 56. June 7—Reported correctly engrossed, 63; read third time, passed, title approved and to Assembly, 64.
In Assembly: June 7—Read first time and to Committee on Ways and Means, 83*. June 8—From committee, with recommendation do pass, 101*; read second time and considered in Committee of Whole, 102*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 125*; read third time, passed, title approved and to Senate, 133*.
In Senate: June 9—To enrollment, 107. June 11—Reported correctly enrolled and to Governor, 125.
- 14—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.
In Senate: June 2—Introduced by San Francisco Delegation, 7; referred to Committee on Judiciary, 7; read first time, 7; from committee, with recommendation do pass, 20. June 4—Withdrawn, 35.
- 15—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.
In Senate: June 2—Introduced by San Francisco Delegation, 7; referred to Committee on Judiciary, 7; read first time, 7; committee report do pass as amended, 20.
- 16—An Act to add a new section to the Civil Code, to be known as Section 7a, relating to holidays.
In Senate: June 2—Introduced by San Francisco Delegation, 7; referred to Committee on Judiciary, 7; read first time, 7.
- 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.
In Senate: June 2—Introduced by Finance Committee, 13; read first time, and ordered on file, 13. June 3—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second time, 28; read third time, passed, title approved, and to Assembly, 28.
In Assembly: June 3—Senate message, 40*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read first, second and third times, and to Senate, 41*.
In Senate: June 3—Ordered to enrollment, 29; reported correctly enrolled, 31; approved by Governor, 50.
- 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.
In Senate: June 2—Introduced by Senator Belshaw, 13; referred to Committee on Contingent Expenses, 13; read first time 13. June 5—From committee with recommendation do pass, 39; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second time, read third time, passed, title approved, and to Assembly, 40.
In Assembly: June 5—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read first, second, and third times, and to Senate, 62*.
In Senate: June 6—Reported correctly enrolled, 57. June 8—Approved by Governor, 78.

19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

In Senate: June 2—Introduced by San Francisco Delegation, 13; referred to Committee on Revenue and Taxation, 13; read first time, 13. June 7—From committee, with recommendation do pass as amended, 63. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read second time, amended, to engrossment and third reading, 80; reported correctly engrossed, 99; read third time, passed, title approved, and to Assembly, 99.

In Assembly: June 9—Read first time without reference to committee, 131*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second time, 132*; read third time, passed, title approved, and to Senate, 157*.

In Senate: June 11—Ordered to enrollment, 121; reported correctly enrolled, 141.

20—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

In Senate: June 2—Introduced by San Francisco Delegation, 13; referred to Committee on Judiciary, 13; read first time, 13.

21—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

In Senate: June 2—Introduced by San Francisco Delegation, 13; referred to Committee on Corporations, 13; read first time, 13. June 6—From committee, with recommendation be withdrawn, as duplicate bill, 53. June 7—Withdrawn, 67.

22—An Act to add a new section to the Code of Civil Procedure to be known as Section 1045a, relating to the restoration of the court records which have been or shall hereafter be lost or destroyed or injured by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 13; referred to Committee on Judiciary, 14; read first time, 14. June 4—To printer, with rush order, 33.

23—An Act to add a new section to the Civil Code, to be known as Section 7a, relating to holidays.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14.

24—An Act to authorize and provide for the transfer to the United States of the title to and jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Navigation, 14; read first time, 14; to printer, with rush order, 33. June 6—From committee, with recommendation be withdrawn, as duplicate bill, 52.

25—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14.

26—An Act to restore records or titles to real property which have been or may hereafter be lost, injured or destroyed by conflagration or other public calamity, and to quiet title to the owners of such real property.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14.

27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14. June 9—From committee, with recommendation do not pass, 112. June 11—Refused second reading, 127.

28—An Act to provide for the copying of books, documents, maps, or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14.

- 29—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.
In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14. June 8—From committee, with recommendation do pass as amended, 95; read second time, amended, to print, engrossment, and third reading, 96. June 9—Reported correctly engrossed, 105; read third time, passed, title approved and to Assembly, 106.
In Assembly: June 9—Read first time, and referred to Committee on Judiciary, 149*. June 11—From committee, without recommendation, 176*; read second time, made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 176*; read third time, passed, title approved and to Senate, 188*.
In Senate: June 11—To enrollment, 138. June 12—Reported correctly enrolled, 153.
- 30—An Act to amend the Code of Civil Procedure by adding four new sections thereto, to be known as Sections 1045a, 1045b, 1045c, and 1045d, relating to the restoration of court records which have been lost, etc.
In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Judiciary, 14; read first time, 14.
- 31—An Act to furnish, grant, convey, and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.
In Senate: June 2—Introduced by San Francisco Delegation, 14; referred to Committee on Navigation, 15; read first time, 15.
- 32—An Act to amend Section 1617 of the Political Code, relating to public schools.
In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Education, 15; read first time, 15. June 5—From committee, with recommendation do pass as amended, 50; read second time, amended, to engrossment and third reading, 50. June 6—Reported correctly engrossed, 52; read third time, passed, title approved and to Assembly, 56.
In Assembly: June 7—Read first time and referred to Committee on Education, 82*. June 8—From committee, with recommendation do pass, 107*; read second time and to third reading, 108-109*. June 9—Read third time, passed, title approved and to Senate, 143*.
In Senate: June 9—To enrollment, 113. June 11—Reported correctly enrolled and to Governor, 127.
- 33—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners, and proceedings in connection therewith.
In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Banking, 15; read first time, 15; to printer, with rush order, 33. June 5—From committee, with recommendation that committee substitute be adopted, 45; committee substitute adopted, 45; read second time and to printer, 45. June 6—Reported correctly engrossed, 51; on file for second reading, 52; re-referred to Committee on Banking, to retain place on file, 57.
- 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.
In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Corporations, 15; read first time, 15. June 6—From committee, with recommendation do pass, 53. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 62; read second and third times, passed, title approved and to Assembly, 67.
In Assembly: June 8—Read first time, referred to Committee on Ways and Means, 104*; from committee, with recommendation do pass, 112*; read second time, and to third reading, 113*. June 9—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read third time, passed, title approved and to Senate, 155*.
In Senate: June 9—To enrollment, 116; reported correctly enrolled and to Governor, 127.

- 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Judiciary, 15; read first time, 15; to printer, with rush order, 33. June 5—From committee, with recommendation do pass as amended, 41; read second time, amended, to engrossment and third reading, and to printer, 42. June 6—Reported correctly engrossed, 57; read third time, passed, title approved and to Assembly, 57.

In Assembly: June 7—Read first time, and referred to Committee on Judiciary and ordered to second reading on special file, 82*. June 8—From committee, with recommendation do pass, 94*; read second time, and to third reading, 109*. June 9—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read third time, passed, title approved, and to Senate, 154*.

In Senate: June 9—To enrollment, 116. June 11—Reported correctly enrolled, and to Governor, 127.

- 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Judiciary, 15; read first time, 15. June 6—From committee, with recommendation do pass, 59; ordered on second reading file, 60. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second and third times, passed, title approved, and to Assembly, 69.

In Assembly: June 8—Read first time and referred to Committee on Ways and Means, and ordered to second reading on special file, 104*; from committee, with recommendation do pass, 112*; read second time and to third reading, 113*. June 9—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read third time, passed, title approved and to Senate, 151*.

In Senate: June 9—To enrollment, 113. June 11—Reported correctly enrolled, and to Governor, 127.

- 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Judiciary, 15; read first time, 15; to printer, with rush order, 33. June 5—From committee, with recommendation do pass, 41. June 6—Read second time, to engrossment and third reading, 56. June 7—Reported correctly engrossed, 63; read third time, passed, title approved and to Assembly, 65.

In Assembly: June 7—Read first time and to committee, 82*. June 8—From committee, with recommendation do pass, 94*; ordered to second reading on special Senate file, 95*. June 9—Read second time and refused passage, 157*.

In Senate: June 9—Message from Assembly, 116.

- 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Education, 15; read first time, 15; to printer, with rush order, 33. June 5—From committee, with recommendation do pass, and to be re-referred to Judiciary Committee, 47. June 6—From committee, with recommendation do pass as amended, 52; on second reading file, 52-53. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 62; read second time, amended, to engrossment and third reading, 70; reported correctly engrossed, 72; read third time, passed, title approved, and to Assembly, 74.

In Assembly: June 8—Read first time, and referred to Committee on Education, 103-104*. June 9—From committee, without recommendation, 161*; made case of urgency, 132*. June 11—Passed on file, 173*; made case of urgency, 176*.

- 39—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1952, relating to evidence.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Judiciary, 15; read first time, 15.

- 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

In Senate: June 2—Introduced by San Francisco Delegation, 15; referred to Committee on Judiciary, 15; read first time, 15. June 7—From committee, with recommendation do pass, 72. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read second and third times, passed, title approved, and to Assembly, 85.

In Assembly: June 9—Read first time, referred to Committee on Judiciary, 118*; from committee, without recommendation, 153*. June 11—Read second time, 159*; read third time, passed, title approved, and to Senate, 174*.

In Senate: June 11—To enrollment, 128; reported correctly enrolled, 141.

- 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.
In Senate: June 2—Introduced by Senator Sanford, 15; referred to Committee on Finance, 15; read first time, 15. June 6—From committee, with recommendation do pass, 51; June 7—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, 62; read second time, amended, to engrossment and third reading, 66; reported correctly engrossed, 72; read third time, passed, title approved and to Assembly, 74.
In Assembly: June 8—Read first time and referred to Committee on Ways and Means, 103*; from committee, with recommendation do pass, 112*; read second time and to third reading, considered in Committee of Whole, committee recommend do pass, made case of urgency, 125*; read third time, passed, title approved, and transmitted to Senate, 128*.
In Senate: June 9—To enrollment, 106; reported correctly enrolled and to Governor, 111.
- 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.
In Senate: June 2—Introduced by Senator Ward, 16; referred to Committee on Commerce and Navigation, 16; read first time, 16. June 6—From committee, with recommendation do pass as amended, 52. June 7—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, 62; read second time, amended, to engrossment and third reading, 67; reported correctly engrossed, 72; read third time, passed, title approved, and to Assembly, 74.
In Assembly: June 8—Read first time and made case of urgency, Sec. 15, Art. IV, of Constitution suspended, temporarily postponed, 103-4*; read third time, passed, title approved, and to Senate, 107*.
In Senate: June 9—Assembly message, 89; to enrollment, 90; reported correctly enrolled, 105.
- 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.
In Senate: June 2—Introduced by Senator Rush, 16; referred to Committee on Finance, 16; read first time, 16. June 7—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, 62; read second and third times, passed, title approved, and to Assembly, 69.
In Assembly: June 7—Read first time and to committee, 83*. June 8—From committee with recommendation do pass as amended, 97*; read second time, amended, 97*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read first, second and third times, and to Senate, 121*.
In Senate: June 8—Assembly message, 97; Assembly amendments concurred in, and to enrollment, 97. June 9—Reported correctly enrolled, 111.
- 44—An Act amending subdivision elevenb of Section 1670 of the Political Code relating to the powers of boards of education or boards of school trustees in issuing bonds.
In Senate: June 2—Introduced by Senator Rambo, 16; referred to Committee on Education, 16; read first time, 16.
- 45—An Act to add a new section to the Code of Civil Procedure to be known as Section 1187a, concerning the time of filing of claims of lien.
In Senate: June 2—Introduced by Senator Belshaw, 16; referred to Committee on Judiciary, 16; read first time, 16. June 4—Withdrawn, 36.
- 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.
In Senate: June 2—Introduced by Senator McKee, 16; referred to Committee on Finance, 16; read first time, 16. June 6—From committee, with recommendation do pass as amended, 46. June 7—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, read second time, 62; read third time, passed, title approved, and to Assembly, 66.
In Assembly: June 7—Read first time, referred to Committee on Ways and Means, and placed on file, 83*. June 8—From committee with recommendation do pass as amended, 96*; read second time, amended, to print and third reading, 97*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, read first, second and third times, and to Senate, 121*.
In Senate: June 8—Assembly amendments concurred in, and to enrollment, 97. June 9—Reported correctly enrolled, and to Governor, 111.
- 47—An Act to amend Section 1636 of the Political Code of the State of California relating to school census.
In Senate: June 2—Introduced by San Francisco Delegation, 21; referred to Committee on Education, 21; read first time, 21. June 5—From committee,

with recommendation do pass, 47. June 6—Read second time, and to engrossment and third reading, 56. June 7—Reported correctly engrossed, 63; read third time, passed, title approved, and to Assembly, 65.

In Assembly: June 7—Read first time, referred to Committee on Education, 83*. June 8—From committee with recommendation do pass as amended, 107*; read second time, amended, and to third reading, 108*. June 9—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read third time, passed, title approved, and to Senate, 154*.

In Senate: June 9—Assembly message, 116; Assembly amendments concurred in, and to enrollment, 117. June 11—Reported correctly enrolled, 127.

- 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22. June 5—From committee, with recommendation do pass as amended, 47; read second time, amended, and to third reading, 48. June 6—Reported correctly engrossed, 52; on file for second reading, 52; read third time, passed, title approved, and to Assembly, 55.

In Assembly: June 7—Read first time and to committee, 82*. June 9—From committee without recommendation, 161*. June 11—Passed on file, 174*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 176*; read second time and amended, 183*; read third time, passed, title approved, and to Senate, 187*.

In Senate: June 11—Assembly message, 138; Assembly amendments concurred in, 138; to enrollment, 138. June 12—Reported correctly enrolled, 153.

- 49—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22. June 5—From committee, with recommendation that bill be withdrawn, being duplicate of other bill, 47; withdrawn, 48.

- 50—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22.

- 51—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22. June 5—From committee, with recommendation that bill be withdrawn, being duplicate of other bill, 47; withdrawn, 48.

- 52—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Judiciary, 22; read first time, 22. June 9—Committee report do not pass, 112. June 11—Refused second reading, 127.

- 53—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issued out of justices' courts.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Judiciary, 22; read first time, 22. June 6—From committee, with recommendation be withdrawn, as duplicate bill, 60; withdrawn, 60.

- 54—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Judiciary, 22; read first time, 22. June 6—From committee, with recommendation be withdrawn as duplicate bill, 60; withdrawn, 60.

- 55—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Banking, 22; read first time, 22. June 5—From committee, with recommendation that permission be granted for withdrawal, 45; withdrawn, 47.

- 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22. June 6—From committee, with recommendation committee substitute do pass, 53. June 7—Made case of urgency, Sec. 15, Art. IV of Constitution suspended, 62; read second time, committee substitute adopted, to print and third reading, 68; reported correctly engrossed, 70; read third time, passed, title approved, and to Assembly, 74.

In Assembly: June 8—Read first time and referred to Committee on Education, and second reading, 103*; committee report do pass as amended, made case of urgency, Sec. 15, Art. IV of Constitution suspended, 132*; read third time, amended, 148*; passed, title approved, and to Senate, 154*.

In Senate: June 9—Assembly message, 116; Assembly amendments concurred in, and to enrollment, 117. June 11—Reported correctly enrolled, and to Governor, 127.

- 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California, situated on the waterfront of the City and County of San Francisco, and making an appropriation therefor.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Finance, 22; read first time, 22. June 7—From committee, with recommendation do pass as amended, 72. June 8—Made case of urgency, 78; read second time, amended, to print, engrossment and third reading, 83; reported correctly engrossed, 93; read third time, passed, title approved, and to Assembly, 93.

In Assembly: June 9—Senate message, 130*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, 132*; read third time, passed, title approved, and to Senate, 143*.

In Senate: June 9—To enrollment, 113. June 11—Reported correctly enrolled and to Governor, 127.

- 58—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

In Senate: June 2—Introduced by San Francisco Delegation, 22; referred to Committee on Education, 22; read first time, 22. June 5—From committee, with recommendation that bill be withdrawn, as duplicate of other bill, 48; withdrawn, 48.

- 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

In Senate: June 2—Introduced by San Francisco Delegation, 23; referred to Committee on Finance, 23; read first time, 23. June 6—From committee, with recommendation do pass as amended, 51. June 7—Made case of urgency, 62; Sec. 15, Art. IV, of Constitution suspended, 62; read second time, amended, 65; to engrossment and third reading 65; reported correctly engrossed, 72; read third time, passed, title approved, and to Assembly, 73.

In Assembly: June 9—Read first time and referred to Committee on Ways and Means, 103*; from committee, with recommendation do pass, 112*; read second time, 113*; made case of urgency, 132*; read third time, passed, title approved, and to Senate, 148*.

In Senate: June 9—Ordered to enrollment, 113. June 11—Reported correctly enrolled, and to Governor, 127.

- 60—An Act to amend an Act, entitled "An Act requiring the payment into the State Treasury of all moneys belonging to the State received by the various State institutions, commissions and officers, and directing the disposition of the same," approved March 17, 1890.

In Senate: June 2—Introduced by San Francisco Delegation, 23; referred to Committee on Finance, 23; read first time, 23. June 8—From committee, with recommendation that committee substitute be adopted, 72; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read first and second times, committee substitute adopted, 84. June 9—Reported correctly engrossed, 101; read third time, passed, title approved, and to Assembly, 102.

In Assembly: June 9—Read first time, 131*; read second time, and made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132* and 176*. June 11—Read third time, passed, title approved, and to Senate, 178*.

In Senate: June 11—Ordered to enrollment, 138. June 12—Reported correctly enrolled, 153.

- 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

In Senate: June 2—Introduced by San Francisco Delegation, 23; referred to Committee on Commerce and Navigation, 23; read first time, 23. June 7—From committee, with recommendation do pass as amended, 70. June 8—Made

case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; amended on second reading, 82; reported correctly engrossed, 92. June 9—Point of order, passed on file, 101 and 104; read third time, passed, title approved, and to Assembly, 104.

In Assembly: June 9—Read first time, and placed on file, 150*. June 11—Amendments proposed, further consideration continued, 189*; amendment withdrawn, 191*; made ease of urgency, Sec. 15, Art. IV, of Constitution suspended, 176*; read second and third times, passed, title approved, and to Senate, 191*.

In Senate: June 11—To enrollment, 138. June 12—Reported correctly enrolled, 153.

- 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

In Senate: June 2—Introduced by Senator Shortridge, 23; referred to Committee on Finance, 23; read first time, 23. June 6—From committee, with recommendation do pass, 51. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 62; read second and third times, passed, title approved, and to Assembly, 67.

In Assembly: June 7—Read first time, referred to Committee on Ways and Means, 82*. June 8—From committee, with recommendation do pass as amended, 96*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second and third times, and to Senate, 123*.

In Senate: June 8—Assembly amendment concurred in, and to enrollment, 97. June 9—Reported correctly enrolled, and to Governor, 111.

- 63—An Act making an appropriation for the pay of officers, clerks, and attachees of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

In Senate: June 3—Introduced by Senator Belshaw, 26; referred to Committee on Contingent Expenses, 26; read first time, 26. June 4—From committee, with recommendation do pass, 34; made ease of urgency, Sec. 15, Art. IV, of Constitution suspended, 34; read second time, read third time, passed, title approved, and to Assembly, 35.

In Assembly: June 4—Made ease of urgency, read first, second and third times, passed, and to Senate, 52-53*.

In Senate: June 5—To enrollment, 49. June 6—Reported correctly enrolled, 57. June 8—Approved by Governor, 78.

- 64—An Act to provide for the establishment of land titles in case of the loss or destruction of records.

In Senate: June 3—Introduced by Senator Wolfe, 26; referred to Committee on Judiciary, 26; read first time, and to printer, with rush order, 27. June 5—From committee, with recommendation that committee substitute do pass, 41; read second time, committee substitute adopted, 42-44. June 6—Reported correctly engrossed, 51; to third reading, 52; read third time, passed, title approved, and to Assembly, 55.

In Assembly: June 7—Read first time, 82*; ordered to second reading on Senate special file, 82*. June 8—Read second time, 109*. June 9—Read third time, passed, title approved, and to Senate, 137*.

In Senate: June 9—To enrollment, 113. June 11—Reported correctly enrolled, to Governor, 127.

- 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906.

In Senate: June 3—Introduced by Senator Simpson, 26; referred to Committee on Finance, 26; read first time, 26. June 7—From committee, with recommendation do pass as amended, 72. June 8—Made ease of urgency, 78; read second time, amended, to print, engrossment, and third reading, 83; reported correctly engrossed, 93; read third time, passed, title approved, and to Assembly, 93.

In Assembly: June 9—Read first time, 130*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read second time, 138*. June 11—Read third time, and to Senate, 174*.

In Senate: June 11—To enrollment, 128; reported correctly enrolled, 151.

- 66—An Act declaring that no contract entered into during holidays from the 19th day of April, 1906, to the 3d day of June, 1906, shall be held invalid by reason of being entered into on any of such holidays nor by reason of having been entered into prematurely on account of such holidays and ratifying and confirming all such contracts entered into in which one of the parties to the same is a public officer.

In Senate: June 3—Introduced by Senator Ward, 26; referred to Committee on Judiciary, 26; read first time, 26. June 8—From committee, with recommendation do not pass, 95. June 9—Withdrawn, 102. June 11—Refused second reading, 127.

- 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.
In Senate: June 4—Introduced by Senator Shortridge, 36; referred to Committee on Finance, 36; read first time, 36. June 5—From committee, with recommendation do pass, 38. June 6—Read second time, to engrossment and third reading, 56. June 7—Reported correctly engrossed, 63; read third time, passed, title approved, and to Assembly, 64.
In Assembly: June 7—Read first time and referred to Committee on Ways and Means, 83*. June 8—From committee, with recommendation do pass as amended, 98*; read second time, amended, 98*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, 121*; read first, second and third times, and to Senate, 124*.
In Senate: June 8—Assembly message, 97; Assembly amendment concurred in, and to enrollment, 98. June 9—Reported correctly enrolled, and to Governor, 111.
- 68—An Act appropriating forty-five hundred (\$4500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.
In Senate: June 5—Introduced by Senator Wolfe, 39; referred to Committee on Finance, 39; read first time, 39. June 7—From committee, with recommendation do pass as amended, 72. June 8—Made case of urgency, 78; read second time, amended, to print, engrossment, and third reading, 83; reported correctly engrossed, 93; read third time, passed, title approved, and to Assembly, 94.
In Assembly: June 9—Senate message, 130*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, 132*; read first, second and third times, and to Senate, 140*.
In Senate: June 9—To enrollment, 113; reported correctly enrolled, 127.
- 69—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations which have been lost or destroyed by conflagration or other public calamity.
In Senate: June 5—Introduced by Senator Ralston, 40; referred to Committee on Judiciary, 40; read first time, 40. June 7—From committee, with recommendation committee substitute do pass, 73; committee substitute read second time, to print, engrossment, and third reading, 75. June 8—Reported correctly engrossed, 78; read third time, passed, title approved, and to Assembly, 79.
In Assembly: June 8—Read first time, referred to Committee on Judiciary, 117*; committee report do pass, 153*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read first, second and third times, and to Senate, 156*.
In Senate: June 9—To enrollment, 116. June 11—Reported correctly enrolled, and to Governor, 127.
- 70—An Act making an appropriation for the purchase of law books for the Attorney-General.
In Senate: June 5—Introduced by Senator Lukens, 47; referred to Committee on Finance, 47; read first time, 47. June 7—From committee, with recommendation do pass, 71. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read first, second and third times, passed, title approved, and to Assembly, 85.
In Assembly: June 9—Read first time and referred to Committee on Ways and Means, 118*; committee report do pass, 125*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 125*; read second and third times, passed, title approved, and to Senate, 134*.
In Senate: June 9—To enrollment, 106. June 11—Reported correctly enrolled, and to Governor, 125.
- 71—An Act making an appropriation for the contingent expenses of the Attorney-General.
In Senate: June 5—Introduced by Senator Lukens, 47; referred to Committee on Finance, 47; read first time, 47. June 7—From committee, with recommendation do pass, 72. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read first, second and third times, passed, title approved, and to Assembly, 85.
In Assembly: June 8—Read first time and referred to Committee on Ways and Means, 118*; from committee, with recommendation do pass, 125*; read second time, considered in Committee of the Whole, and to third reading, made case of urgency, 125*; read third time, passed, title approved, and to Senate, 127*.
In Senate: June 9—To enrollment, 106. June 11—Reported correctly enrolled, and to Governor, 125.

- 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or other evidence of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.
In Senate: June 5—Introduced by Senator Ralston, 47; referred to Committee on Judiciary, 47; read first time, 47. June 7—From committee, with recommendation do pass, 72. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read first, second and third times, passed, title approved, and to Assembly, 85.
In Assembly: June 8—Read first time, referred to Committee on Judiciary, 118*. June 9—Committee reported back without recommendation, 153*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read first, second and third times, and to Senate, 155*.
In Senate: June 9—To enrollment, 116. June 11—Reported correctly enrolled, and to Governor, 127.
- 73—An Act to provide for the selection, location, acquisition, and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment, and furnishing of a building or buildings, and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of State government of the State of California maintaining headquarters in the City of San Francisco, and making an appropriation therefor.
In Senate: June 6—Introduced by San Francisco Delegation, 55; referred to Committee on Finance, 55; read first time, 55; from committee, with recommendation do pass, 59. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 62; read second and third times, passed, title approved, and to Assembly, 69.
In Assembly: June 8—Read first time, referred to Committee on Ways and Means, 104*; from committee, with recommendation do pass as amended, 114*; amended and to second reading, 115*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*. June 11—Read second time and amended, 141*; made special order, 159*; passed, title approved, and to Senate, 167*.
In Senate: June 11—Assembly message, 122; amendment concurred in, and to enrollment, 123. June 11—Reported correctly enrolled, 141. June 12—Approved by Governor, 155.
- 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.
In Senate: June 6—Introduced by Senator Pendleton, 55; referred to Committee on Finance, 55; read first time, 55; recalled from committee and placed on file, 55. June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 62; read second and third times, passed, title approved, and to Assembly, 68.
In Assembly: June 7—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read first, second and third times, and to Senate, 83*.
In Senate: June 8—Assembly message, 87; to enrollment, 88. June 11—Reported correctly enrolled, 92; approved by Governor, 123.
- 75—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.
In Senate: June 6—Introduced by San Francisco Delegation, 55; referred to Committee on Judiciary, 55; read first time, 55.
- 76—An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.
In Senate: June 6—Introduced by Senator Simpson, 60; referred to Committee on Finance, 60; read first time, 60. June 8—From committee, with recommendation do pass as amended, 72; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read second time, amended, to print, engrossment and third reading, 84; reported correctly engrossed, 99; read third time, passed, title approved, and to Assembly, 100.
In Assembly: June 9—Senate message, 131*; made case of urgency, Sec. 15, Art. IV of Constitution suspended, 132*; read first, second and third times, passed, title approved, and to Senate, 140*.
In Senate: June 9—Ordered to enrollment, 113. June 11—Reported correctly enrolled, and to Governor, 127.
- 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.
In Senate: June 6—Introduced by Senator Simpson, 61; referred to Committee on Judiciary, 61; read first time, 61. June 7—From committee, with

- recommendation do pass, 71. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read second and third times, passed, title approved, and to Assembly, 82.
- In Assembly:* June 8—Read first time, and referred to Committee on Ways and Means, 118*; committee report do pass, 125*; read second time, and to third reading, made case of urgency, 125*; read third time, passed, title approved, and to Senate, 127*.
- In Senate:* June 9—To enrollment, 106; reported correctly enrolled, and to Governor, 111.
- 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purpose for which the right of eminent domain may be exercised.
- In Senate:* June 6—Introduced by San Francisco Delegation, 61; referred to Committee on Judiciary, 61; read first time, 61. June 8—From committee with recommendation do pass as amended, read second time, amended, to print, engrossment, and third reading, 91. June 9—Reported correctly engrossed, 101; read second and third times, amended, re-referred to committee, 104; report of committee, 108; amended, 110; reported reengrossed, 113; passed, and to Assembly, 116.
- In Assembly:* June 11—Read first time, 159*; read second time, made case of urgency, Sec. 15, Art. IV of Constitution suspended, 176*; read third time, passed, title approved, and to Senate, 178*.
- In Senate:* June 11—To enrollment, 138. June 12—Reported correctly enrolled, 153.
- 79—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.
- In Senate:* June 6—Introduced by Senator Ralston, 61; referred to Committee on Judiciary, 61; read first time, 61. June 7—From committee, with recommendation do pass, 73. June 8—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 78; read second and third times, passed, title approved, and to Assembly, 86.
- In Assembly:* June 9—Read first time, referred to Committee on Judiciary, 118*; committee report do pass, 152*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 132*; read second time, passed, title approved, and to Senate, 156*.
- In Senate:* June 11—To enrollment, 121; reported correctly enrolled, 141.
- 80—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1043c, relating to the restoration of bonds on attachment, writs of attachment, and the return of service thereof, in any action in any court which have been, or shall hereafter be, lost or destroyed by conflagration or other public calamity.
- In Senate:* June 6—Introduced by Senator Broughton, 61; referred to Committee on Judiciary, 61; read first time, 61.
- 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.
- In Senate:* June 9—Introduced by Finance Committee, 107; read first time, and placed on file without reference to committee, made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second and third times, passed, title approved, 107; to Assembly, 108.
- In Assembly:* June 9—Read first time, and placed on file without reference to committee, made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second time, 149*; read third time, passed, title approved, and to Senate, 150*.
- In Senate:* June 9—To enrollment, 113; reported correctly enrolled, 127.
- 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.
- In Senate:* June 9—Introduced by Senator Lukens, 111; referred to Committee on Judiciary, 111; read first time, 111; from committee, with recommendation do pass, 111. June 11—Made case of urgency, Sec. 15, Art. IV, of Constitution suspended, read second and third times, and to Assembly, 126.
- In Assembly:* June 11—Read first time, 185*; made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 187*; read second and third times, passed, title approved, and to Senate, 193*.
- In Senate:* June 11—Reported correctly enrolled, 153.
- 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.
- In Senate:* June 11—Introduced by Senator Wolfe, 129; read first time, and referred to Committee on Finance, 129; read second time, made case of urgency, read third time, passed, title approved, and to Assembly, 134.
- In Assembly:* June 11—Read first time, made case of urgency, Sec. 15, Art. IV, of Constitution suspended, 187*; read second time, 191*; read third

time, refused passage, 190*; vote reconsidered, passed, title approved, and to Senate, 193*.

In Senate: June 11—To enrollment, 144. June 12—Reported correctly enrolled, 153.

- 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

In Senate: June 11—Introduced by Senator Simpson, 134; read first time without reference to committee, to printer with rush order, 134; read second time, made case of urgency, Sec. 15, Art. IV, of Constitution suspended, considered engrossed and to third reading, 140; read third time, passed, title approved, and to Assembly, 141.

In Assembly: June 12—Read first time, made case of urgency, 197*; read second and third times, passed, title approved, 198*.

In Senate: June 12—To enrollment, 154; reported correctly enrolled, 156.

SENATE CONSTITUTIONAL AMENDMENTS.

- 1—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

In Senate: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Education, 16.

- 2—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

In Senate: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16. June 7—From committee, with recommendation that it be adopted as amended, 72. June 8—Amended, 86; reported correctly engrossed, 93; adopted, and to Assembly, 95.

In Assembly: June 9—Ordered on file, 130*. June 11—Amended and adopted, 169*.

In Senate: June 11—Assembly amendments concurred in, 123; to enrollment, 122. June 12—Reported correctly enrolled, and filed, 151.

- 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered 20, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco, relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

In Senate: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16.

- 4—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

In Senate: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 17.

- 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

In Senate: June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Finance, 17. June 9—From committee, without recommendation, 112; amended and to print, 115; adopted and to Assembly, 118.

In Assembly: June 11—Senate message, 170*; referred to Committee on Ways and Means, 172*; from committee, with recommendation that it be not adopted, 178*; minority report, be adopted as amended, 179*; refused adoption, 180*.

- 6—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

In Senate: June 2—Introduced by San Francisco Delegation, 23; referred to Committee on Education, 23.

- 7—Proposed amendment relative to amending the Constitution of the State of California, repealing Sections 4 and 5 of Article XIII, and by amending Section 1 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.
In Senate: June 3—Introduced by Senator Pendleton, 26; referred to Committee on Revenue and Taxation, 27. June 6—From committee, with recommendation author be permitted to withdraw, 52. June 7—Withdrawn, 65.
- 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.
In Senate: June 3—Introduced by Senator Ralston, 27; referred to Committee on Revenue and Taxation, 27. June 6—From committee, with recommendation be adopted, 52. June 8—Adopted, and to Assembly, 79.
In Assembly: June 8—Ordered on file without reference to committee, 117*. June 11—Passed on file, 173*; adopted, and to Senate, 182*.
In Senate: June 11—Ordered to enrollment, 138. June 12—Reported correctly enrolled, and filed, 153.
- 9—Proposed amendment to Article IV, Section 31, of the Constitution of the State of California, relating to the power of the Legislature to make or authorize the making of any gift of any public money or thing of value to any individual in this or other corporation.
In Senate: June 3—Introduced by Senator Lukens, 27; referred to Committee on Judiciary, 27. June 8—From committee, with recommendation be adopted, 95. June 12—Indefinitely postponed, 152.
- 10—Relative to proposed amendment to Article XVI of the Constitution, relative to State indebtedness.
In Senate: June 3—Introduced by Senator Lukens, 27; referred to Committee on Judiciary, 27. June 8—From committee, with recommendation be adopted, 95. June 9—Re-referred to committee, 104; from committee, 105; re-referred, 105. June 12—Adoption refused, 151.
- 11—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.
In Senate: June 4—Introduced by Senator Ralston, 36; referred to Committee on Revenue and Taxation, 36. June 6—From committee, with recommendation author be permitted to withdraw, 53; withdrawn, 54.
- 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education, and school districts, to incur indebtedness.
In Senate: June 6—Introduced by San Francisco Delegation, 61; referred to Committee on Education, 61. June 7—From committee, with recommendation be amended and adopted, 73. June 8—Amended and ordered to print, 87; reported correctly engrossed, 93; made special order for 11 A. M. on Saturday, June 9, 1906, 95. June 9—Amended and to print, 103. June 11—Adopted, and to Assembly, 125.
In Assembly: June 11—Read, amended, and adopted as amended, 169*; vote reconsidered, 188*; amended, adopted, and to Senate, 189*.
In Senate: June 11—Assembly message, 138; Assembly amendments concurred in, and to enrollment, 142. June 12—Reported correctly enrolled, and filed, 153.
- 13—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section nineteen thereof, relating to the use of streets, pipes, and conduits for water and artificial light.
In Senate: June 9—Introduced by Senator Markey, 101; referred to Committee on Judiciary, 101.
- 14—A resolution to propose to amend Article XI of the Constitution, relative to consideration of city and county governments.
In Senate: June 9—Introduced by Senator Pendleton, 111; referred to Committee on Judiciary, 111.

SENATE JOINT RESOLUTIONS.

- 1—Relative to the cession of Yerba Buena Island to the State of California.
In Senate: June 9—Introduced by Senator Shortridge; referred to Committee on Judiciary; report of committee, 102; amended, 102. June 12—Adopted, and to Assembly, 149.
In Assembly: June 12—Adopted, and to Senate, 201*.
In Senate: June 12—Assembly message, 156.
- 2—Relative to hydrographic branch of the Geological Survey.
In Senate: June 9—Introduced by Senator Luskens, 118; read and adopted, 118.
In Assembly: June 11—Adopted, and to Senate, 175*.
In Senate: June 11—To enrollment, 138. June 12—Reported correctly enrolled, and filed, 153.
- 3—Relating to the suspension of that portion of the Revised Statutes of the United States requiring certain expenditures in unprotected mining claims.
In Senate: June 11—Introduced by Senator Curtin, 128; adopted, and to Assembly, 129.
In Assembly: June 11—Adopted, and to Senate, 181*.
In Senate: June 11—To enrollment, 138. June 12—Reported correctly enrolled, and filed, 151.
- 4—Relating to the services of the United States troops and the National Guard of California during the disaster of April 18, 1906.
In Senate: June 12—Introduced by Senator Shortridge; read and adopted, and to Assembly, 156.
In Assembly: June 12—Read and adopted, 200*.
- 5—Relating to relief in emergency fires and disasters.
In Senate: June 12—Introduced by Senator Shortridge; read and adopted, and to Assembly, 156.
In Assembly: June 12—Read and adopted, 201*.

SENATE CONCURRENT RESOLUTIONS.

- 1—Relative to the cession of Yerba Buena Island to the State of California.
In Senate: June 7—Introduced by Senator Shortridge, 70; referred to Committee on Judiciary, 70; adopted, 70.
- 2—Relative to adjournment.
In Senate: June 7—Introduced by Senator Belshaw, 75; read and adopted, and to Assembly, 75.
In Assembly: June 8—Referred to Committee on Ways and Means, 119*.
June 9—Amended and adopted, 136*; refused to recede, 148*.
In Senate: June 9—Refused to concur in amendments, 107; Senate refused to recede, 114; Assembly amendments concurred in, 120; reported correctly enrolled, and filed, 141.



THE

JOURNAL OF THE ASSEMBLY

DURING THE

EXTRA SESSION

OF THE

THIRTY-SIXTH LEGISLATURE OF THE STATE OF CALIFORNIA,

1906.

Began on Saturday, June Second, and Ended on Tuesday,
June Twelfth, Nineteen Hundred and Six.



SACRAMENTO

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1906

1825-1826

1827-1828

1829-1830

1831-1832

1833-1834

1835-1836

1837-1838

1839-1840

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CALIFORNIA LEGISLATURE—ASSEMBLY.

THIRTY-SIXTH (EXTRA) SESSION.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Saturday, June 2, 1906. }

In pursuance of the proclamation of His Excellency Governor George C. Pardee, dated June 1, 1906, convening the Legislature of the State of California in extraordinary session, the Assembly convened this Saturday, June 2, 1906, at the hour of twelve o'clock meridian.

The Assembly was called to order by Hon. Thos. E. Atkinson, Speaker pro tem. of the thirty-sixth biennial session of the Legislature.

OFFICERS PRESENT.

The Chief Clerk announced that the following officers of the thirty-sixth session of the Legislature were in attendance:

Speaker pro tem.	T. E. Atkinson, Acting Speaker.
Chief Clerk	Clio L. Lloyd.
Sergeant-at-Arms	John T. Stafford.
Assistant Clerks	Chas. A. Thompson, T. G. Walker, Edward Hinkle.
Minute Clerk	J. Steppacher.
Journal Clerk	R. L. Dempsey.
Bookkeeper to Sergeant-at-Arms	C. W. Haub.
Postmistress	Mrs. Pauline Smith.

ROLL CALL.

The Speaker pro tem. directed the Chief Clerk to call the roll of the members of the Assembly, and the following answered to their names:

Messrs. Amerige, Anthony, Arnerich, Atkinson, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meineke, Mitchelltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Stobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, and Wickersham—70.

Quorum present.

PROCLAMATION OF THE GOVERNOR.

The Speaker pro tem. directed the Chief Clerk to read the proclamation of the Governor, convening the Legislature in extraordinary session.

The Chief Clerk read as follows:

PROCLAMATION BY THE GOVERNOR CONVENING THE LEGISLATURE IN EXTRAORDINARY SESSION.

STATE OF CALIFORNIA,
EXECUTIVE DEPARTMENT.

WHEREAS, By reason of the great conflagration and public calamity extraordinary occasion has arisen and exists, requiring the Legislature of the State of California to convene;

NOW, THEREFORE, I, George C. Pardee, Governor of the State of California, by virtue of the power and authority in me vested by section nine of article five of the Constitution of the State of California, do hereby convene the Legislature to meet and assemble in extraordinary session at Sacramento, California, in the State Capitol, on Saturday, the second day of June, Anno Domini one thousand nine hundred and six, at twelve o'clock meridian of that day, for the purpose of enacting laws, and proposing constitutional amendments upon the following subjects, to wit:

1. To enact a law providing that where holidays have been declared by the Governor for more than thirty days, all legal or official acts or publications done or made on any such holiday or holidays shall be deemed and held as valid as if done, performed, or made on a day or days other than such holiday, or holidays;

2. To enact laws with reference to the restoration, reissuing, reproduction, substitution, evidence, or proof of court records, files, and papers lost, injured, or destroyed by conflagration or other public calamity, and also to enact legislation for the restoration, reissuance, reproduction, substitution, evidence, or proof of instruments, documents, and records, public or private, in like manner, lost, destroyed, or injured, affecting the ownership of or interest in property, or affecting any other right, public or private, evidenced by such documents, and for determining, establishing, and quieting title thereto or to the property or rights evidenced thereby; and providing for the disposition of cases in which the record or any part thereof has been lost or destroyed; also for establishing or quieting title to real or personal property;

3. To appropriate money and to make provision for the construction, erection, reconstruction, repair and restoration of buildings, structures, and property of the State of California damaged, injured, lost, or destroyed by conflagration or other public calamity, and also to provide for their protection against fire;

4. To appropriate money for the use of State institutions, courts, commissions, boards and officers, and the University of California and its affiliated colleges, and to provide for deficiencies in the funds of said State institutions, courts, commissions, boards and officers, and the University of California and its affiliated colleges;

5. To provide for the pay, expenses, subsistence, and transportation of the National Guard of California and the University Cadets during the months of April, May, and June, 1906;

6. To amend section twelve hundred and thirty-eight of the Code of Civil Procedure by adding thereto a new subdivision, which shall provide only that plants of title insurance and guaranty companies and of title abstract companies and all copies of public records used by such companies be included as one of the purposes for which the right of eminent domain may be exercised in behalf of a municipality;

7. To provide for the erection or leasing of a building at San Francisco for the use of the officers, institutions, organizations, commissions, boards, and departments of the State government maintaining headquarters in San Francisco and not otherwise provided for in State buildings, and for the purchase or leasing of the necessary land therefor;

8. To appropriate the sum of twenty-five thousand dollars, or so much thereof as may be necessary, for the publication, at the State Printing Office, of school textbooks to be supplied at cost to the children of indigent parents in the City and County of San Francisco;

9. To amend section sixteen hundred and thirty-six of the Political Code by adding another subdivision thereto, so as to provide for a substitute school census in cases where, by reason of conflagration or other public calamity, a school census has not been or may not be taken;

10. To add a new section to the Political Code, so as to provide a substitute for school records or registers lost, injured, or destroyed by conflagration or other public calamity;

11. To amend section five of the act of March 6, 1905, relating to the high school fund, so as to provide for apportionment of said fund in cases where one hundred and eighty days of school have not been held, or an average attendance of twenty pupils has not been maintained, by reason of conflagration or other public calamity;

12. To add a new section to the Political Code, so as to provide for the issuance of teachers' certificates where the originals have been lost or destroyed by conflagration or other public calamity;

13. To amend section sixteen hundred and seventeen of the Political Code by adding another subdivision thereto, so as to enable school trustees and boards of education to compromise litigation arising from the destruction of school buildings in course of erection on April 18, 1906;

14. To amend the Political Code by adding a new section thereto so as to require insurance companies to furnish the Insurance Commissioner, when requested by him, as of a date past or present, to be designated by the Commissioner, with complete data with reference to policies issued by them in the State of California, or any portion thereof, and to provide for penalties for failure or neglect so to do;

15. To extend to July 31, 1906, the time in which insurance companies organized in countries foreign to the United States shall file their annual statements for the year 1905, and to relieve said companies from penalties provided by section six hundred and eleven of the Political Code;

16. To amend subdivision eleventh of section sixteen hundred and seventy of the Political Code by adding an additional clause thereto, providing that bonds of high school districts may be issued and sold for the purposes of repairing, restoring, and rebuilding any high school building damaged, injured, or destroyed by conflagration or other public calamity;

17. To amend an act entitled "An act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this act," approved March 20, 1905, so as to increase the license tax on said corporations and the penalty for failure to pay the same, and to provide for the revival, under certain conditions, of corporations which have not paid said tax, and to make provision for settling the affairs of corporations where said license tax has not been paid; also, to refund to corporations license taxes heretofore illegally collected;

18. To amend section thirty-seven hundred and sixty-four of the Political Code, so as to extend the time of publication of the delinquent tax list of the fiscal year 1905-06 for a period not exceeding twenty days;

19. To amend section thirty-seven hundred and five of the Political Code so as to enable the State Board of Equalization, in the event of conflagration or other public calamity, to extend, not exceeding forty days, the time within which county or city and county officers shall perform official acts relating to revenue and taxation; and also extending, for the same period, the time in which the State Board of Equalization shall perform its official acts relating to revenue and taxation;

20. To amend section thirty-seven hundred and thirteen of the Political Code, fixing the rate of taxation and amount required for the several funds;

21. To enact laws authorizing the transfer to the United States of America of rights of way obtained by the State or by the Commissioner of Public Works for a diverting canal to protect the city of Stockton from flood and to make navigable its river approaches; and also authorizing the transfer to the United States of America of certain tide lands in San Diego bay for a quarantine station;

22. To amend sections three hundred and thirty-seven and three hundred and thirty-nine of the Code of Civil Procedure so as to extend the limitations prescribed therein not to exceed six months, beyond the time now allowed in each of said sections, respectively; and also to amend section ten hundred and fifty-four of the Code of Civil Procedure so as to enable judges of the Superior Court to extend time in civil actions and proceedings for a period not exceeding ninety days;

23. To add a new section to the Code of Civil Procedure so as to enable justices' courts or justices of the peace to stay execution not exceeding ten days on any judgment rendered by such court; and also to amend section eight hundred and sixty-seven of the Code of Civil Procedure so as to provide that undertakings on attachments filed in justices' courts must be personally approved by the justice, and fixing the amount of such undertaking;

24. To amend section ten of the act creating a Board of Bank Commissioners, approved March 24, 1903, so as to authorize such board to assume control of and manage certain banks when by the board deemed necessary, for a period of six months, without commencing suit;

25. To amend an act entitled "An act to authorize cities to acquire and operate a joint system or systems of water supply," approved March 24, 1903, so as to include within the provisions of said act territory intervening between any two or more cities, cities and counties, towns or municipalities;

26. To amend the existing statutes and enactments relating to moneys collected by the Board of State Harbor Commissioners so as to increase the amount of money that may be retained and used by said board each month for urgent repairs;

27. To consider and enact laws extending the time for the performance or taking of any act or proceeding of a secular nature, appointed, or required, or limited by, or pursuant to law, or pursuant to any contract, to be performed or taken on any days in the month of June, 1906, prior to the last day of said month;

28. To consider and act upon propositions to amend section six hundred and twenty-five of the Code of Civil Procedure, and section six hundred and thirty of the Political Code;

29. To amend the laws concerning liens of mechanics, laborers and others upon real property for the sole purpose of providing that where legal holidays have been declared by the Governor for more than thirty days, the time within which said persons shall be required to file their claims of lien with the County Recorder shall be extended beyond the time when they would otherwise have been entitled to file the same;

30. To consider and propose an amendment to the Constitution of the State of

California repealing section five of article thirteen thereof, relating to contracts for the payment of taxes or assessments on money loaned, or on mortgages, deeds of trust or other liens, so that the borrower may be free to make a contract for a net rate of interest:

31. To consider and propose an amendment, to be submitted at the next general election, to section eight of article eleven of the Constitution, so as to facilitate, for the period of two years, the amendment of the charter of the City and County of San Francisco and the charter of the city of San José, without ratification by the Legislature:

32. To consider and propose an amendment, to be submitted at the next general election, to article eleven of the Constitution of the State of California, by adding a new section thereto conferring, for a period of two years, certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands owned or hereafter to be acquired by it, and to the uses thereof; provided that said amendment shall contain a provision that no lands, nor any part thereof, now owned by said City and County of San Francisco, shall be sold or exchanged, unless such sale or exchange shall first be authorized by a majority of the votes of said city and county voting thereon, at a special election called for the purpose of such authorization; but this shall not be construed to prevent any exchange of lands acquired by said city and county after the adoption of this amendment by the Legislature for street purposes; and provided, that said amendment shall contain the further provision that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions of said amendment; and that said amendment shall contain the further provision that nothing in said amendment contained shall be construed as to confer upon the board of supervisors any power or authority, beyond that at this date possessed by it, to extend the term or time of existence, or conditions, of any franchise:

33. To consider and propose an amendment, to be submitted at the next general election, to article sixteen of the Constitution of the State of California so as to provide necessary funds, through State indebtedness and the issuance of bonds in excess of the amount which may be incurred under the provisions of section one of said article, for the purpose of rebuilding, repairing, replacing and restoring the buildings and property of the State destroyed or damaged by conflagration or other public calamity, and to provide funds for meeting any deficiency in the revenues of the State for the fiscal years commencing July 1, 1907, and ending June 30, 1912:

34. To consider and propose an amendment, to be submitted at the next general election, to section eighteen of article eleven of the Constitution of the State of California, so as to enable counties, cities and counties, towns, townships, boards of education and school districts to incur indebtedness and issue bonds to run for a period not exceeding one hundred years and to provide for interest and sinking funds in connection therewith:

35. To confirm such nominations as may be sent to the Senate.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed hereunto the great seal of the State of California, at my office in the State Capitol, this first day of June, in the year of our Lord the one thousand nine hundred and sixth, and of the admission of the State of California the fifty-sixth.

GEORGE C. PARDEE,

Governor of the State of California.

ATTEST:

C. F. CURRY, Secretary of State.

RESOLUTIONS.

Resolutions were offered, as follows:

By Mr. Amerige:

Resolved, That the Chief Clerk be and is hereby instructed to inform the Senate that the Assembly is in session pursuant to the proclamation of His Excellency the Governor, dated June 1, 1906, and ready for the transaction of legislative business with the following officers:

Speaker pro tem.....	T. E. Atkinson, Acting Speaker.
Chief Clerk.....	Chio Lloyd.
Sergeant-at-Arms.....	John T. Stafford.
Assistant Clerks, Chas. A. Thompson, T. G. Walker, Edw. Hinkle, Ed. J. Smith.	
Minute Clerk.....	J. Steppacher.
File Clerk.....	W. C. Guirey.
Assistant Minute Clerk.....	Neil T. Duffy.
Assistant Sergeant-at-Arms.....	Ben Cohn.
Journal Clerk.....	R. L. Dempsey.
Assistant Journal Clerk.....	R. G. Stitt.
Bookkeeper to Sergeant-at-Arms.....	C. W. Haub.
Engrossing and Enrolling Clerks.....	C. S. MacMullan, D. R. Dunbar.
Postmistress.....	Mrs. Pauline Smith.

The resolution was, on motion, adopted.

By Mr. McCartney:

Resolved, That until further order the Standing Rules of this Assembly at its last regular session be and the same are hereby adopted as the rules of this session, and the committees appointed at the last regular session consist of the same members as were then appointed upon such committees; *provided*, that all vacancies existing be filled by appointment by the Speaker pro tem.

The resolution was, on motion, adopted.

STANDING RULES OF ASSEMBLY.

1. *Hour of Meeting.*

The sessions of the House shall be daily (Sundays excepted), beginning at nine o'clock and thirty minutes A. M. Until February 6, 1905, adjournment shall be taken at twelve o'clock and thirty minutes P. M., and after said date a recess shall be taken at said hour to two o'clock P. M., unless otherwise ordered by a vote of the House.

2. *Order of Business.*

1. Roll Call.
2. Prayer by the Chaplain.
3. Reading and approval of the Journal.
4. Presentation of Petitions.
5. Reports of Standing Committees.
6. Reports of Select Committees.
7. Messages from the Governor.
8. Messages from the Senate.
9. Introduction and Reference of Bills.
10. Motions and Resolutions.
11. Special Orders of the Day.
12. Unfinished Business of the Preceding Day.
13. Business on Special File.
14. Business on General File and Third Reading of Bills.

3. *Reports of Committee on Engrossed and Enrolled Bills.*

It shall be in order for the Committee on Engrossed and Enrolled Bills to report at any time.

4. *Messages from the Governor and Senate.*

Messages from the Governor and from the Senate may be considered at any time by a vote of the House.

5. *Petitions to be Presented, with a Brief Statement of Contents.*

Petitions, memorials and other papers addressed to the House, shall be presented by the Speaker, or by a member in his place. A brief statement of the contents thereof shall be made verbally by the introducer. They shall not be debated on the day of their being presented, but shall lie on the table, or be referred, as the House shall determine.

6. *Introduction and Reading of Bills.*

Any member desiring to introduce a bill shall rise in his place and address the Speaker, and, upon being recognized, shall present the same. It shall then be numbered and read the first time at the Clerk's desk and referred to a standing committee, and be printed, and a copy placed upon the desk of each member. Every bill shall be read at length on three several days previous to its passage, unless in case of urgency two thirds of the House shall, by vote of ayes and noes, dispense with this provision. The Speaker shall give notice at each reading whether it be the first, second, or third, and no bill shall be read at either reading until the House has so determined by a vote. All bills to appropriate money for contingent purposes shall be presented by the Committee on Ways and Means. The Chairman or Clerk of each committee of the Assembly shall notify the author of any bill or proceeding pending before such committee of the hour and place of hearing or acting upon such bill or proceeding.

7. *Introduction of Bills by Committee.*

Any committee may introduce a bill appertaining to any subject coming within its consideration, whereupon it shall be read the first time and placed upon the proper second-reading file. When such a bill is designed to be a substitute for one or more Assembly bills, the bills for which it is such a substitute shall, by a majority vote of the House, be deemed withdrawn, and shall not appear upon the file. Upon the introduction of a bill by a committee, it shall be numbered as a new bill, ordered printed, and placed upon the Assembly file for further action.

8. *Disposition of Senate Bills.*

When a Senate bill has been received by the House, with a message announcing that the same has passed the Senate, such bill shall be referred to a standing com-

mittee; *provided, however*, that when a Senate bill is received, the provisions of which are identical with those of an Assembly bill which has already been considered and reported by a committee of the House, such Senate bill shall be substituted for the Assembly bill (the latter being considered withdrawn), shall take the same place upon the Assembly file, and be considered as having received the same recommendation of the Assembly committee; *provided*, that the fact that the bills are identical shall be entered in the Journal.

9. *Joint Resolutions and Constitutional Amendments.*

Joint resolutions shall be treated the same as bills; *provided*, that they shall be read but once, and that after they have been reported by a committee; *and provided further*, that the ayes and noes shall not be called upon their adoption, unless regularly demanded. Proposed amendments to the Constitution shall be treated the same as bills; *provided*, they shall be read but once, and only after they shall have been reported by a committee.

10. *Proceedings Touching Appropriations of Money to be Considered in Committee of the Whole.*

All bills making appropriations of money shall be considered in a Committee of the Whole House while on second reading, and no addition to any appropriation shall be made out of Committee of the Whole.

11. *Reference of Bills.*

No debate shall be allowed on any motion to refer a bill or resolution to a committee. The Speaker shall first indicate to what committee a bill or resolution ought to be referred, and it shall be so referred, unless upon a motion, without debate, the House by a majority vote refer it to some other committee.

12. *Referring with Special Instructions.*

A bill or resolution may be committed with special instructions at any time after the third reading has been ordered.

13. *Order of Making File.*

Upon the introduction of bills they shall be read the first time, and referred to committees as provided in Rule 6. When reported back they shall be placed upon the General File, to be kept by the Clerk, as follows: All bills when reported to the House by the committees shall be placed at the foot of the second-reading file, in the order in which the reports are made, and after the second reading they shall be placed at the foot of the third-reading file, in the order of reading, and precedence shall be given in the consideration of bills in the following order: Third-Reading File and Second-Reading File, unless otherwise ordered by a two-thirds vote of the House. The Clerk shall post, in a conspicuous place in the chamber, a daily statement of the bills on the General File, setting forth the order in which they were filed, and specifying the alterations arising from the disposal of business each day.

14. *Order Making Special File.*

The Clerk shall, from time to time, make up a file, to be known as the Special File, on which he shall place bills relating to appropriations for the support of the State government and State institutions, revenue, election laws, and constitutional amendments, in the order named, and in the order in which the same may be reported to the Assembly, and he shall place no other bills thereon, nor shall any bill on the General File be substituted for any bill thereon.

15. *Taking Up Bills Out of Order.*

When a member shall ask leave to have a bill taken up out of its regular order, he shall, in making the motion, give the number and title of the bill, and its position on the file.

16. *Engrossing and Enrolling Bills.*

The Engrossing and Enrolling Clerk shall engross, and enroll, the bills which shall come to his hands for such purposes, in compliance with the provisions of Section 539 of the Political Code, and in the order of time in which the same shall be acted upon by the House. Said Clerk shall be responsible for every violation of this rule by his assistants or deputies; no Clerk of this House, or his deputy or assistant, shall demand or receive from any person any compensation other than that provided by law for any services performed by him in regard to the bills or preparation of bills before this House.

17. *Bills to Be Reported Back Within Ten Days.*

All bills referred to any committee shall be by such committee reported back to the House with its action thereon within ten days after such reference, unless the House, by request of such committee, shall otherwise order.

DUTIES OF SPEAKER.

18. *To Call House to Order.*

The Speaker, or, in his absence, the Speaker pro tem., shall take the chair precisely at the hour appointed for meeting, and shall immediately call the House to order. In the absence of both the Speaker and the Speaker pro tem., the Chief Clerk, or an assistant, shall call the House to order, whereupon a Chairman shall be elected from among the members to preside.

19. *To Preserve Order; to Decide Points of Order; and May Speak to Same.*

He shall preserve order and decorum; may speak to points of order in preference to other members, rising from his seat for that purpose; and shall decide questions of order, subject to an appeal to the House by any member, on which appeal no member shall speak more than once, unless by leave of the House.

20. *To Have Direction of the Hall; May Call Any Member to the Chair.*

He shall have general direction of the hall. He shall have a right to name any member to perform the duties of the Chair, but such substitution shall not extend beyond an adjournment.

21. *To Sign Resolutions, Etc., Attested by the Clerk.*

All acts, addresses, and joint resolutions shall be signed by the Speaker, and all writs, warrants, and subpoenas issued by order of the House shall be under his hand, attested by the Clerk.

22. *May Order the Galleries and Lobby Cleared.*

In case of any disturbance or disorderly conduct in the galleries or lobby, the Speaker (or Chairman of the Committee of the Whole House) shall have power to order the same to be cleared.

DUTIES OF THE SERGEANT-AT-ARMS.

23. *To Attend Sitzings of House; Serve Processes.*

The Sergeant-at-Arms shall attend the House during its sittings, to execute the commands of the Speaker of the House, and all process issued by authority thereof directed to him by the Speaker. He shall be sworn to keep the secrets of the House. He shall also have supervision of all the attachés of the House (except the clerks at the desk, the committee attachés, and the page to the Speaker, which page shall be under the exclusive supervision of the Speaker), and shall be responsible for the performance of their duties, and shall have power to suspend any attaché under him for dereliction of duty, and shall report to the Speaker such suspension and the causes thereof; said attaché shall not receive any pay during the time of such suspension. The Speaker shall have the power to relieve the attaché of his suspension and shall have the power to remove any attaché for incompetency or for willful neglect of duty.

24. *Fees of Sergeant-at-Arms.*

The Sergeant-at-Arms shall receive for every arrest the sum of one dollar; for each day's custody and release, one dollar; and for traveling expenses for himself, or a special messenger, going and coming, ten cents per mile; but no compensation shall be allowed for the arrest, custody, or release of members under a call of the House, within the limits of the Capitol grounds. All fees accruing to the Sergeant-at-Arms for arrest, custody, and release of members, shall be paid by the members so arrested, held in custody, and released, unless excused by a vote of the House. And when a member shall be excused by the House, the Sergeant-at-Arms shall not be allowed any fees for the arrest.

25. *Assistant Sergeant-at-Arms to Be Doorkeeper.*

The Assistant Sergeant-at-Arms shall be the Doorkeeper, and shall be sworn to keep the secrets of the House.

26. *Standing Committees.*

The Standing Committees of the House shall be as follows:

1. A Committee on Agriculture, to consist of seven members.
2. A Committee on Attachés and Employés, to consist of seven members.
3. A Committee on Banks and Banking, to consist of five members.
4. A Committee on Building and Loan Associations, to consist of seven members.
5. A Committee on Claims, to consist of seven members.
6. A Committee on Commerce and Navigation, to consist of nine members.
7. A Committee on Commissions and Public Expenditures, to consist of seven members.
8. A Committee on Contingent Expenses and Accounts, to consist of five members.
9. A Committee on Constitutional Amendments, to consist of seven members.
10. A Committee on Contested Elections, to consist of seven members.
11. A Committee on Corporations, to consist of nine members.
12. A Committee on Counties and County Boundaries, to consist of five members.

13. A Committee on County and Township Governments, to consist of thirteen members.
 14. A Committee on Dairies and Dairy Products, to consist of nine members.
 15. A Committee on Election Laws, to consist of seven members.
 16. A Committee on Education, to consist of nine members.
 17. A Committee on Engrossment and Enrollment, to consist of seven members.
 18. A Committee on Fruit and Vine Interests, to consist of seven members.
 19. A Committee on Fish and Game, to consist of eleven members.
 20. A Committee on Federal Relations, to consist of five members.
 21. A Committee on Governor's Messages, to consist of five members.
 22. A Committee on Immigration, to consist of nine members.
 23. A Committee on Insurance and Insurance Laws, to consist of seven members.
 24. A Committee on Irrigation, to consist of nine members.
 25. A Committee on Judiciary, to consist of twenty-one members.
 26. A Committee on Labor and Capital, to consist of nine members.
 27. A Committee on Levees and River Improvements, to consist of seven members.
 28. A Committee on Manufactures and Internal Improvements, to consist of seven members.
 29. A Committee on Mileage, to consist of five members.
 30. A Committee on Military Affairs, to consist of seven members.
 31. A Committee on Mines and Mining Interests, to consist of nine members.
 32. A Committee on Municipal Corporations, to consist of seven members.
 33. A Committee on Oil Industries and Oil Mining Interests, to consist of nine members.
 34. A Committee on Public Buildings and Grounds, to consist of eleven members.
 35. A Committee on Public Health and Quarantine, to consist of seven members.
 36. A Committee on Public Lands and Forestry, to consist of seven members.
 37. A Committee on Public Morals, to consist of nine members.
 38. A Committee on Public Printing, to consist of seven members.
 39. A Committee on Public Works, State Capitol, and Parks, to consist of seven members.
 40. A Committee on Public Charities and Corrections, to consist of seven members.
 41. A Committee on Reform of the Civil Service, to consist of five members.
 42. A Committee on Retrenchment and Reform, to consist of seven members.
 43. A Committee on Revenue and Taxation, to consist of seven members.
 44. A Committee on Revision and Reform of Laws, to consist of nine members.
 45. A Committee on Roads and Highways, to consist of eleven members.
 46. A Committee on Rules and Regulations, to consist of five members, one of whom shall be the Speaker.
 47. A Committee on State Hospitals and Asylums, to consist of eleven members.
 48. A Committee on State Library, to consist of five members.
 49. A Committee on State Prisons and Reformatory Institutions, to consist of nine members.
 50. A Committee on Swamp and Overflowed Lands and Drainage, to consist of nine members.
 51. A Committee on Universities, to consist of seven members.
 52. A Committee on Ventilation and Acoustics, to consist of five members.
 53. A Committee on Ways and Means, to consist of fifteen members.
- The San Francisco Delegation, to whom may be referred matters of interest in particular to the City and County of San Francisco; but not to the exclusion of jurisdiction of other committees.

27. *Committees to Be Appointed by Speaker.*

All committees shall be appointed by the Speaker, unless otherwise ordered by the House.

28. *Committee on Contested Elections.*

It shall be the duty of the Committee on Contested Elections to examine and report upon the certificates of election or other credentials of the members returned to serve in this House, and to take into their consideration all such petitions and other matters touching elections and returns as shall or may be presented or come into question and be referred to them by the House.

29. *Committee on Ways and Means.*

It shall be the duty of the Committee on Ways and Means to take into consideration all such reports of the Treasury Department, and all such propositions relative to the revenue, as may be referred to them by the House; to inquire into the state of the public debt or the revenue, and of the expenditure, and report from time to time their opinion thereon. All bills for the appropriation of money, which were not at first referred to the Committee on Ways and Means, shall be reported to the House by the committees having them under consideration, and shall thereupon, without motion, be referred to the Committee on Ways and Means; and said committee shall consider them and report thereon the amount of appropriation required, but such bill shall retain its place on the file pending its consideration by said Committee on Ways and Means. The Committee on Ways and Means shall, from time to time, at least once in two weeks, report to the House the exact condition of

legislation involving appropriations, and the aggregate amount of all the proposed appropriations pending.

30. *Committee on Commissions and Public Expenditures.*

It shall be the duty of the Committee on Commissions and Public Expenditures to ascertain what State commissions, institutions, or boards, if any, can be abolished or consolidated with advantage to the public, in view of a more economical administration of State affairs; to ascertain what expenditures and salaries of the various public offices and institutions can be advantageously reduced or discontinued; to prepare and report to the Assembly such bills or resolutions as may be required to carry out the recommendations of the committee.

31. *Committee on Engrossment.*

It shall be the duty of the Engrossing Committee to compare all bills ordered or considered engrossed by this House with the engrossed copies thereof; and before they pass out of the possession of the House, see that the engrossed bill is a true copy of the original, with such amendments as may have been made thereto; and said committee shall see that all engrossed bills are reported back in the order in which they were ordered engrossed.

32. *Committee on Revision and Reform of Laws.*

It shall be the duty of the Committee on Revision and Reform of Laws to take into consideration all petitions, bills, and resolutions touching the revision and reform of the existing laws of the State of California that shall or may be presented or come into question and be referred to it by the Assembly.

33. *Committee Expenditures.*

No committee shall be permitted to incur any expense by visiting any part of the State on official or other business, without first obtaining leave of the House by a two-thirds vote of the members thereof.

34. *Committee of the Whole House.*

In forming a Committee of the Whole House, a chairman, to be named by the Speaker, shall preside. Bills committed to a Committee of the Whole House shall, in Committee of the Whole, be read by sections. All amendments shall be noted and reported to the Assembly by the chairman. After report to the Assembly, the bill shall again be subject to amendment before a vote on the report is taken.

35. *Rules in Committee of the Whole.*

The rules of the Assembly shall be observed in Committee of the Whole, as far as may be applicable, except limiting the time of speaking, and except that the ayes and noes shall not be taken.

36. *Motion to Rise Decided Without Debate.*

A motion that the committee rise shall always be in order, and shall be decided without debate.

37. *Reference of Bills.*

When a motion is made to refer any subject, and different committees shall be proposed, the question shall be taken in the following order:

The Committee of the Whole House.

A Standing Committee.

A Select Committee.

38. *Calling Members to Order When Transgressing Rules.*

If any member, in speaking or otherwise, transgress the rules of the House, the Speaker shall, or any member may, call to order; in which case the member so called to order shall immediately sit down, unless permitted to explain; and if called to order by a member, such member shall immediately state the point of order. If the point of order be sustained by the Chair, the member shall not be allowed to proceed; but if it be not sustained, then he shall be permitted to go on. Every such decision from the Chair shall be subject to an appeal to the House, but no discussion of a question of order shall be allowed, unless an appeal be taken from the decision of the Chair.

39. *Speaker to Decide Who is Entitled to the Floor.*

When two or more members shall rise at once, the Speaker shall name the member who is to first speak.

40. *Order in Speaking to Questions.*

Every member, when he speaks, shall, standing in his place, address "Mr. Speaker," and when he has finished he shall sit down. No member shall speak more than twice during the consideration of any one question, of whatever nature, on the same day and at the same stage of proceedings, without leave being granted, except the author of a bill or resolution, or mover of a question. No member shall be

allowed to speak more than twenty (20) minutes upon any question, except by leave of the House.

41. *Called to Order for Offensive Words in Debate.*

If any member be called to order for offensive words spoken in debate, the person calling him to order shall report the words excepted to, and they shall be taken down in writing at the Clerk's table; and no member shall be held to answer, or be subject to censure of the House, for language used in debate, if any member has spoken or other business has intervened after the words spoken and before exception to them shall have been taken.

42. *Personal Explanation.*

Any member may rise to explain a matter personal to himself, with leave of the Chair, but shall not discuss a question in such explanation.

43. *Motions to be Stated by Speaker Shall be Reduced to Writing, or May be Withdrawn.*

No motion shall be debated until the same be seconded and distinctly announced by the Speaker; and it shall be reduced to writing, if desired by the Speaker, or any member, and be read by the Clerk, before the same shall be debated. A motion may be withdrawn, by leave of the House, at any time before amendment or decision.

44. *Motion to Adjourn.*

A motion to adjourn shall always be in order, except during roll call. The Clerk shall enter on the journal the name of any member moving an adjournment, also the hour at which the motion was made.

When a motion is made and seconded to adjourn, it shall be in order for the Speaker, before putting the question, to permit any member to state any fact to the House relating to the condition of the business of the House, which would seem to render it improper to adjourn at that time. Such statement, however, shall not be debatable, and such statement or statements shall not, in any case, occupy more than two minutes.

Concurrent resolutions for adjournment *sine die* shall in all cases, whether originating in the House or coming from the Senate, be referred to the Committee on Ways and Means. That committee shall report upon any such concurrent resolutions not later than the next legislative day, and with regard to the status of the General Appropriation bill and the tax levy.

45. *Precedence of Motions During Debate.*

When a question is under debate, or before the House, no motion shall be received but: to adjourn; to lay on the table; for the previous question; to postpone to a day certain; to commit or amend; to postpone indefinitely; which several motions shall have precedence in the order in which they are named, but the first three shall be decided without debate; and no motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall again be allowed on the same day, and at the same stage of the proceedings. A motion to strike out the enacting clause of a bill shall have preference over a motion to amend, and, if carried, shall be considered equivalent to its rejection. A dilatory motion shall not be considered intervening business within the meaning of parliamentary usage.

46. *Previous Question.*

The previous question shall be in this form: "Shall the main question be now put?" and its effect, when sustained by a majority of the members present, shall be to put an end to all debate and bring the House to a vote on the question or questions before it.

47. *Questions of Order After Previous Question is Ordered.*

All incidental questions of order arising after a motion is made for the previous question, and pending such motion or previous question, shall be decided (whether on appeal or otherwise) without debate; *provided*, that after the previous question shall have been ordered, ten minutes shall be allowed for explanation of the matters covered by the previous question, of which five minutes shall be given to the member moving the previous question, and five minutes to those opposed thereto.

48. *Previous Question Demanded.*

The previous question shall only be put when demanded by three members.

49. *Question Indefinitely Postponed.*

When a question is postponed indefinitely the same shall not again be introduced during the session.

50. *Division of Questions.*

Any member may call for a division of the question, which shall be divided if it comprehend propositions in substance so distinct that, one being taken away, a sub-

stantive proposition shall remain for the decision of the House. A motion to strike out being lost, shall preclude neither a motion to add to nor a motion to strike out and insert.

51. *Substitute.*

A substitute shall be deemed and held to be an amendment, and be treated in all respects as such.

52. *Subjects Different From the One Under Consideration.*

No motion or proposition on a subject different from that under consideration shall be admitted as an amendment.

53. *Printing of Bills.*

Five hundred copies of all bills shall be printed. The Sergeant-at-Arms shall be required to certify to the reception by the House of all such printed matter, and the quantity thereof.

54. *Printing Extra Number of Bills, Etc.*

A proposition to print an extra number of any document or other matter shall lie on the table one day for consideration, unless otherwise ordered by consent of the House.

55. *Printing of Maps.*

Maps accompanying documents shall not be printed under the general order to print, without the special direction of the House.

56. *Filling Blanks.*

In filling up blanks the least sum and shortest time shall be first put.

57. *Priority of Business.*

All questions relating to the priority of business shall be decided without debate.

58. *Reading of Papers.*

When the reading of a paper is called for, except petitions, and the same is objected to by any member, it shall be determined by a vote of the House, without debate.

59. *Notice of Reconsideration.*

On the day succeeding that on which a final vote on any bill or resolution has been taken, said vote may be reconsidered on the motion of any member; *provided*, notice of intention to move such reconsideration shall have been given on the day on which such final vote was taken, by a member voting with the majority; and it shall not be in order for any member to move a reconsideration on the day on which such final vote was taken. Said motion of reconsideration shall have precedence over every other motion, except a motion to adjourn. No notice of reconsideration shall be in order on the day preceding the last day of the session. No motion to reconsider shall be adopted, except upon a roll call, and it shall require forty-one votes to adopt the motion.

60. *Elections by House.*

In all cases of election by the House the vote shall be taken *viva voce*.

61. *Calling Ayes and Noes.*

The ayes and noes shall be taken on the final passage of all bills, and when called for by three members on other questions, and every member within the bar of the House, when his name is called, shall (unless for special reasons he be excused) declare openly, and without debate, his vote. In taking the ayes and noes, and upon call of the House, the names of the members shall be taken alphabetically, and the Clerk shall enter on the Journal the names of those demanding the ayes and noes.

62. *Members at Clerk's Desk.*

No member or other person shall remain by the Clerk's table while the ayes and noes are being called, or while the votes are being counted.

63. *Voting on Question When Interested.*

No person shall vote on any question in the result of which he is personally interested or involved.

64. *Division and Count of House.*

Upon a division and count of the House on any question, no person without the bar shall be counted.

65. *Explaining or Changing Vote.*

No member shall be allowed to explain his vote or discuss the question while the ayes and noes are being called, and no member shall be allowed to change his vote after the vote is announced from the chair.

66. *Call of the House.*

Upon a call of the House the names of the members shall be called over by the Clerk, and the absentees noted, after which the names of the absentees shall again be called over. The door shall then be shut, and those for whom no excuse or insufficient excuses are made, may, by order of those present, be taken into custody, as they appear, or may be sent for and taken into custody by the Sergeant-at-Arms wherever to be found, or by special messenger, to be appointed for that purpose. In the absence of a quorum, a majority of the members present may order a call of the House and compel the attendance of absentees in the manner above provided. No recess can be taken during a call of the House.

67. *Suspending and Changing Rules.*

No standing rule or order of the House shall be rescinded or changed without a vote of two-thirds, and one day's notice being given of the motion therefor; *provided*, that the Committee on Rules and Regulations may at any time, except during a roll call, report a temporary rule providing for the consideration of any bill on the files of the House belonging to either of the following classes:

1. Bills affecting the State government, its revenue, its various departments or commissions, or appropriations therefor.

2. Bills affecting county and township governments, or roads and highways.

3. Bills affecting town, city, city and county governments, or the municipal affairs of the same.

4. Amending election laws.

Such temporary rule shall provide when a bill so selected shall be taken up for consideration, and the time when final vote shall be taken thereon and pending amendments thereto, if there be any.

It shall always be in order to call up for consideration such report. The same shall be subject to amendment by the House.

On the adoption of such temporary rule by the House by a two-thirds vote thereof, if the bill be on third reading, and by a majority vote of the members elected to the House, if otherwise, such bill shall thereupon be made the special order for the time fixed therein.

A rule of order may be suspended temporarily by a vote of two-thirds of the members present, except that portion of Rule 6 relating to third reading of bills. A motion or resolution proposing to increase or diminish a standing committee shall not be adopted until the same has been referred to the Committee on Rules and Regulations.

The Committee on Rules and Regulations may also, at any time, report a temporary rule or regulation for the consideration of the business on the file, having regard to the condition of the business of the House. When such temporary rule or regulation shall have been adopted by the House, it shall have the effect, for the time being, of a standing rule, and shall be enforced by the Speaker.

68. *Members Absenting Themselves.*

No member shall absent himself from the service of the House without the leave of the House, except in case of sickness; and if any member or officer of the House absent himself without leave, his per diem shall not be allowed him; but no member shall obtain leave of absence, or be excused, without a vote of two-thirds of the House.

69. *Persons Admitted to Floor.*

No persons, except Senators, State officers, Governors and ex-Governors of States, Members of Congress, Judges of the Supreme or Superior Courts, members of the press when accredited by their respective journals, ladies or gentlemen when specially invited by a member of the House, shall be admitted within the Assembly Chamber, except in the galleries, during the session of the House; but a majority may have the floor of the House within the bar cleared of any or all such persons. The Speaker is charged with the enforcement of this rule.

70. *Smoking in Hall.*

No smoking shall be allowed within the Assembly Chamber during the session of the House.

71. *Parliamentary Rules.*

The rules of parliamentary practice contained in Roberts' Rules of Order shall govern the House in all cases to which they are applicable, and in which they are not inconsistent with the Standing Rules and orders of the House and the Joint Rules of the Senate and House of Assembly.

72. *Use of Hall.*

The Assembly Room shall not be used for any public or private business other than legislative, except by consent of a majority of the House.

73. *Fees for Witnesses.*

Witnesses summoned to appear before the House or any of its committees shall be paid as follows: For each day a witness shall attend, the sum of two dollars; for each mile he shall travel in coming to and going from the place of examination, the sum of ten cents. No mileage shall be paid except where the witness has actually traveled for the purpose of giving testimony.

74. *Protest of Members.*

It shall be in order for any member or members to protest against action of the House, and have such protest entered upon the minutes.

75. *Fees Allowed in Cases of Contest.*

Whenever, in the Assembly, a contest is made for the seat of any Assemblyman, no more than two hundred dollars shall be allowed as counsel fees to either side.

76. *Assignment of Attachés.*

The Committee on Attachés shall assign the committee clerks and the official stenographers of the House to the various committees; *provided*, that the Committee on Judiciary and the Committee on Ways and Means shall each be entitled to one clerk and one stenographer, to be selected by the chairman of those committees, respectively.

All assignments of committee clerks and stenographers made by the Committee on Attachés under this rule shall be reported to the House and entered in the Journal.

77. *Introduction of Bills After Fiftieth Day.*

On or prior to the fiftieth day of the session the Speaker shall appoint a standing Committee on Introduction of Bills, to consist of three members.

All motions for leave to introduce bills after the fiftieth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full, and the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

78. *Leave of Absence of Committee Visiting Public Institutions.*

When leave of absence shall be granted any committee, special or standing, to visit public buildings or institutions, or for any other purpose, such leave shall be granted only by a two-thirds vote taken *viva voce*, and no expenses or mileage of attachés shall be allowed. No member of the Assembly shall accompany a committee as a substitute for a member thereof who declines to accompany the committee, without permission for such substitution being obtained from the Speaker. Application for a leave of absence for a committee shall be made to the Assembly by the chairman thereof, by resolution, which shall give the name of the institution or institutions to be visited and briefly recite the occasion and necessity for visiting the same, together with the number of committeemen desiring leave. Such resolution shall immediately, and without debate, be referred to the Committee on Rules and Regulations, with instructions to report upon the next legislative day on the same, and whether the leave of absence can be granted without interfering with the business of the Assembly.

RESOLUTIONS — (RESUMED).

By Mr. Treadwell:

Resolved, That a select committee of three be appointed by the Speaker pro tem., to act with a like committee from the Senate, to wait upon the Governor and inform him that the two houses of the Legislature are in session, and in readiness to receive any communication which he may have to make.

The resolution was, on motion, adopted.

By Mr. Bliss:

Resolved, That a special committee of three members of this House be appointed by the Speaker to report to this Assembly this day at four o'clock p. m. as to the number of officers and attachés that will be economically required during this extra session.

The resolution was, on motion, adopted.

APPOINTMENT OF SPECIAL COMMITTEES.

The Acting Speaker announced the appointment of special committees as follows:

On Notification to Governor—Messrs. Treadwell, Stanton, and Lumley.
On Officers and Attachés—Messrs. Bliss, Devlin, and Beckett.

FOR INTRODUCTION OF BILLS.

Mr. McGowan moved to take up as the next order of business the introduction of bills.

Motion carried.

INTRODUCTION AND REFERENCE OF BILLS.

Bills were introduced as follows:

By the San Francisco Delegation: Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read first time.

Also: Assembly Bill No. 2—An Act validating acts done or performed on legal holidays.

Bill read first time.

Also: Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Bill read first time.

Also: Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings.

Bill read first time.

RESOLUTION FOR SPECIAL ORDER.

By Mr. Treadwell:

Resolved, That Assembly Bills Nos. 1, 2, 3, and 4 be sent to the printer with a rush order, and that they be made a special order to be considered immediately after the reconvening of the Assembly on this day after the recess, and without reference to committee.

The resolution was adopted.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

By Mr. Bliss: Assembly Bill No. 5—An Act entitled "An Act appropriating one hundred and twenty-three thousand three hundred and ninety-two and thirty-one one-hundredths (\$123,392.31) dollars to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of capital stock of certain corporations, necessary for the maintenance of the University of California."

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 6—An Act entitled "An Act appropriating eight thousand six hundred (\$8,600.00) dollars to the Regents of the University of California to enable them to repair certain damages to the Dental, Medical, Western, and Veterinary buildings of the Affiliated

Colleges, which said buildings are the property of, and necessary to the maintenance of, the University of California."

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 7—An Act entitled "An Act appropriating twenty-seven thousand and thirty-nine and eighty-six one-hundredths (\$27,039.86) dollars to enable the Regents of the University of California to restore certain property damaged and destroyed upon the campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinic, college of pharmacy, medical, medical 'out-patient' section, stationery, anthropology, publications, library, Wilmerding School, and Lick Observatory, which said property is necessary for the maintenance of the University of California."

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 8—An Act entitled "An Act appropriating forty-one thousand four hundred and eighty (\$41,480.00) dollars to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California."

Bill read first time, and referred to Committee on Universities.

Also: Assembly Bill No. 9—An Act entitled "An Act appropriating eight thousand six hundred and forty-one and fifty one-hundredths (\$8,641.50) dollars, to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California."

Bill read first time, and referred to Committee on Universities.

By Mr. Treadwell: Assembly Bill No. 10—An Act to provide for the establishment of land titles in case of loss or destruction of records.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 13—An Act providing for the disposition of actions and proceedings in which the record of the proceedings upon the trial thereof has been lost or destroyed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Stanton: Assembly Bill No. 16—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain

nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 17—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 18—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Bill read first time, and referred to Committee on Banks and Banking.

Also: Assembly Bill No. 20—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the time for commencing actions other than for the recovery of real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 21—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 22—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools, and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 24—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, to provide for its collection, and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests, and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, by amending Sections 2, 4 and 9 thereof.

Bill read first time, and referred to Committee on Judiciary.

By the San Francisco Delegation: Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 26—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension, by the State Board of Equalization, of the time in which certain boards and officials shall perform certain acts.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read first time, and referred to Committee on Insurance and Insurance Laws.

Also: Assembly Bill No. 30—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 31—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read first time, and referred to Committee on Education.

Also: Assembly Bill No. 33—An Act to add a new section to the Civil Code, to be known as Section 7a, relating to holidays.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Bill read first time, and referred to Committee on Revenue and Taxation.

Also: Assembly Bill No. 35—An Act to add a new section to the Code of Civil Procedure to be known as Section 1045a, relating to the restoration of court records which have been or shall hereafter be lost or destroyed or injured by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 36—An Act to amend the Code of Civil Procedure by adding four new sections thereto, to be known as Sections 1045a, 1045b, 1045c, and 1045d, relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

REPORT OF COMMITTEE TO NOTIFY GOVERNOR.

The special committee, consisting of Messrs. Treadwell, Stanton, and Lumley, appointed to wait on the Governor, appeared at the bar of the Assembly and, through its chairman, Mr. Treadwell, announced that they had informed the Governor that this body was organized, and that His Excellency the Governor stated that he would soon communicate with the Assembly.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

By the San Francisco Delegation: Assembly Bill No. 37—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has or may be commenced, has been or may be lost, injured, or destroyed, by conflagration or other calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 40—An Act to restore records or titles to real property which have been or may hereafter be lost, injured or de-

stroyed by conflagration or other public calamity, and to quiet the title to the owners of such real property.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read first time, and referred to Committee on Corporations.

Also: Assembly Bill No. 42—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1952, relating to evidence.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 43—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read first time, and referred to Committee on Insurance and Insurance Laws.

By Mr. McGowan: Assembly Bill No. 44—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Bill read first time, and referred to Committee on Insurance and Insurance Laws.

By the San Francisco Delegation: Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming, or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 46—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read first time, and referred to Committee on Insurance and Insurance Laws.

By Mr. Drew: Assembly Bill No. 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or banking institution.

Bill read first time, and referred to Committee on Banks and Banking.

CONSTITUTIONAL AMENDMENTS.

Constitutional amendments were introduced and referred to committees as follows:

By the San Francisco Delegation: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for

certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

Referred to Committee on Revenue and Taxation.

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs, and lands now owned or hereafter acquired by it, and the uses thereof.

Referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Referred to Committee on Revenue and Taxation.

Also: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Referred to Committee on Judiciary.

Also: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section eight of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

Referred to Committee on Judiciary.

MESSAGE FROM THE GOVERNOR.

Mr. Treadwell moved to take up, out of order, messages from the Governor.

Motion carried.

The Chief Clerk read the following:

STATE OF CALIFORNIA, EXECUTIVE DEPARTMENT,
SACRAMENTO, June 2, 1906.

To the Assembly of the State of California:

I have the honor to transmit to your honorable body my message covering the points specified in the proclamation convening the Legislature in extraordinary session, which proclamation was by me issued on the 1st day of June, A. D. 1906.

GEO. C. PARDEE,
Governor of California.

GOVERNOR'S MESSAGE.

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA,
SACRAMENTO, June 2, 1906.

To the Senate and Assembly,

GENTLEMEN: The recent catastrophes which befell the City of San Francisco, and the cities and towns in its vicinity, by which a vast number of our people were rendered homeless and so many hundred millions of dollars' worth of property were

destroyed, have, I think, justified me in calling you together in extraordinary session to consider such matters of legislative relief as the exigencies of the occasion may seem to require to remedy the public conditions that have arisen since the early morning of April 18th.

The destruction of so much property and so many public and private records has, of course, caused great confusion in all matters pertaining to public and private business. Many evidences of debt, such as mortgages and notes, were either destroyed in the great fire in San Francisco, or, being kept in the vaults and safe-deposit boxes, were, for several weeks after the fire, unavailable for use. Many of the banks, with all their money, papers, and books, locked in their safes and vaults, which were buried under the fire-ruined buildings, were unable to meet their obligations, and, had demands been made upon them by any of their creditors, would have been, under a strict construction of the law, insolvent, although having in their vaults ample means to meet any call that, under even extraordinary circumstances, might have been made upon them. Many suits were also in progress in the courts, the records and papers of which were destroyed.

Under these circumstances, at the earnest and urgent request of many business men, the bankers, and the State Bank Commission, I determined to proclaim, and did proclaim, legal holidays from day to day, beginning on the 19th day of April. These holidays, I am assured by those in position to know, kept the State from suffering a financial disturbance which, added to our other misfortunes, threatened a widespread ruin. In order to relieve the situation from the possibility of a multiplicity of suits to foreclose mortgages, recover upon notes, and other matters of outlawry, I have assembled you in extraordinary session, in order that, if you so desire, you may consider and pass to-day, as emergency matters, legislation which will extend for six months the time of outlawry of notes, mortgages, book accounts, and the like; also legislation which will permit judges to extend time in certain legal proceedings; also legislation extending the time for printing the delinquent tax list; also legislation to require insurance companies to deliver to and upon demand of the Insurance Commissioner lists of policies of insurance held by them; also legislation which will validate the acts of public officers done and performed on legal holidays proclaimed by the Governor, when such acts are otherwise valid; also legislation as recommended under No. 27 of the call. If your honorable bodies shall see fit to pass to-day, as emergency matters, these legislative acts, it will prevent great business and legal confusion, for the reason that, unless passed before the legal holidays cease, their effects will be lost.

I also desire to call your attention to the fact that the holidays rendered necessary by our calamities will have lasted but forty-one days, while after the Baltimore fire, which occasioned much less damage, holidays were proclaimed for seventy-four days.

Hardly had the fire in San Francisco ceased burning before numerous demands were made upon me to convene the Legislature in extraordinary session. It seemed to me, however, that, until the damage done had been itemized and scheduled, it would be utterly impossible to map out what legislative remedies would be necessary.

For ten days or two weeks after the fire everybody was so busy with relieving the existing distress and destitution that no calm thought was taken as to the proposed extra session. Then a committee on extra session, composed of some of the leading attorneys and business men of the city, together with representatives from Santa Rosa and San José, was appointed by the Mayor of San Francisco. This committee working diligently, intelligently, and faithfully, night and day, for more than three weeks, completed its work on Monday, May 28th, and transmitted to me the results of its labors in the form of a long and comprehensive report, making certain recommendations upon which, with but few changes, is based the call upon which you are to-day assembled in extraordinary session. The fact that such a committee, the members of which were in close touch with the situation, required nearly four weeks of close and unremitting labor to ascertain what legislation was necessary—this fact, I think, precludes any debate as to the necessity of postponing the convening of this extraordinary session until this date.

It was the desire of the San Francisco committee, as it was my own, to incorporate in the call for this extraordinary legislative session only those things rendered necessary or desirable by the catastrophe of April 18th and the following few days. Following this desire, the San Francisco committee declined, with one or two exceptions, to incorporate in their report to me anything but such measures as might be called "calamity measures." And, believing that the San Francisco committee's work was well and intelligently done, I have followed, with but few changes, the recommendations of the committee as regards the matters which should be incorporated in the call for the extraordinary session.

The subjects recommended for your consideration number thirty odd. Of these, five or more are matters which, if they meet with your approval, will require the submission of constitutional amendments to the people at the general election to be held next November. All the recommendations submitted to you for consideration have been, as you will see, very carefully considered and surrounded with such safeguards as will, so far as possible, confine them entirely to so-called "calamity measures." Most, if not all of the subjects submitted to you are self-explanatory.

and the reasons for their submission to you appear upon their face, and therefore require no explanation here.

I desire, however, to call your attention to subject No. 21 of the call, which recommends legislation to provide for the protection of the City of Stockton from flood, etc. If you will remember, the Legislature of 1903 appropriated the sum of sixty thousand dollars to be used, in connection with an appropriation by the United States, to further the construction of a canal to relieve the City of Stockton from danger of flood and to keep navigable its river approaches. The rights of way for this canal have been, as provided by law, purchased by the State, and the work could now proceed were it not that the United States refuses to proceed therewith unless the title to the rights of way be vested in itself. It is found, however, on investigation, that there is no power now granted by law whereby this title may be transferred to the United States. The recommendation in the call is, therefore, made to you in order that this transfer of title may be made and the work proceed. The coming winter will bring new dangers of overflow to Stockton, and, probably, as has usually happened, the channel leading to the city will be again filled up. Therefore, the San Francisco committee, looking upon the matter as an emergency, if not a "calamity," matter, resolved, after careful consideration, to recommend it to me as worthy of submission to you for consideration in extraordinary session; and, agreeing with the committee, I have so submitted it to you.

Recommendation No. 21 also relates to a transfer of tide lands in San Diego Bay for a quarantine station, which proposition was presented to the San Francisco committee by Senator M. L. Ward; and, upon his explanation, the committee decided to recommend it to me for incorporation in the call. This I have done, it appearing that, as in the case of the Stockton matter, it is of sufficient emergency importance to be presented to you for your consideration at this time.

It being represented to the San Francisco committee that Los Angeles required a new and ample water supply, which San Francisco's fate rendered more apparent, the committee decided, after listening to a committee from Los Angeles, to recommend to me such amendments to the law of 1903 as would permit Los Angeles and the surrounding unincorporated country, together with cities and towns in the vicinity of Los Angeles, to unite and issue bonds in a sum sufficient to provide that water supply. Therefore, the San Francisco committee recommended to me that I incorporate in the call, and I did so incorporate therein, a proposition that you amend the law of 1903 relating to water supplies for cities so that the City of Los Angeles and the municipalities surrounding it may be able to gain the water supply which they assured the committee and myself was so necessary for their future prosperity.

I desire, also, to call your attention to the intelligent and excellent service rendered by the National Guard, who, to the number of three thousand, were concentrated in and about San Francisco. Many of the State troops residing in San Francisco lost all they had in the world, and, their fathers, mothers, wives, sisters, children homeless and in danger of starvation, did their duty as loyal American citizens ever have or will. One body of the State troops was under arms and on the streets of San Francisco, aiding the civil authorities in preserving order and saving life and property, at eight o'clock on the morning of April 18th. And by noon of that day they had organized wagon trains to take food supplies from threatened stores and warehouses, thus providing for the first relief that was given to the thousands of homeless people who were seeking safety in the public parks. And all through the days of conflagration and those of deep distress which followed, the members of California's National Guard, officers and men, rescued the living, ministered to the sick and injured, fed the hungry and, giving up their own blankets and overcoats to shivering women and children, patrolled their beats ignoring their own discomforts.

Officers and men, the National Guard of California did their full duty during the time that they were in active service in San Francisco and vicinity, earning by their soldierly conduct the admiration and commendation of thinking civilians and trained officers of the Regular Army of the United States there also on duty.

The expenses incurred by calling into active service the National Guard must be met by legislative appropriation, either by appropriation at this extraordinary session, the money to become available on July 1, 1907, or by allowing the matter to lie over until the next regular session of the Legislature. My recommendation is that so much of the expenses as can be accurately ascertained at this time shall be provided for at this session, to be made available on July 1, 1907, leaving the remainder to be ascertained and provided for at the next regular legislative session.

In this regard I wish to call your attention to the fact that the banks of Sacramento, San José, Oakland, and Fresno have advanced large sums of money with which to pay the members of the National Guard. I am also informed that the banks of San Francisco, Los Angeles, San Diego, and other cities express a willingness to advance other sums for this purpose. The National Guardsmen, therefore, will receive their pay, or the greater part thereof, without any long wait.

The thanks of the State are due to the banks which have thus advanced the pay of the officers and men of the State troops. And this willingness of the banks to advance this money is another proof, if any were needed, that the services of the National Guard are recognized by the people of this State as of great value to the body politic.

As you, perhaps, already know, I went to Oakland on the evening of April 18th, and, finding communication with San Francisco by wire entirely cut off (a state of affairs which existed for nearly a week), took up my quarters, by invitation of Mayor Mott, in the City Hall of Oakland, and from there opened up communication, by messenger, with Mayor Schmitz, of San Francisco; and, by means of the telegraph, informed the country at large of San Francisco's desperate condition. The response was almost instantaneous, and from all parts of this State and Nation supplies, shelter, bedding, money, and messages of sympathy began to pour in. So prompt was the reply to appeals for aid that, within thirty-six hours after the beginning of the fire, steamboat and train loads of food, bedding, tents, and other supplies were beginning to arrive in the burning city, and all fear of famine was thus early removed.

Oregon, our next neighbor on the north, telegraphed me early, through Governor Chamberlain and Mayor Lane of Portland, that a full trainload of supplies would leave for San Francisco that night. They also sent us physicians and nurses, who spent ten days and more ministering to the sick and injured in the burned metropolis and its vicinity. Washington, through Governor Mead, and the Mayors of Seattle, Spokane, and other cities and towns, also wired me that the people of that State were equally prompt in responding to our cry of distress. Governor Sparks of Nevada and the Mayor of Reno also sent us immediate and copious help; while Governor Cutler of Utah and the Mayors of Salt Lake City and Ogden were equally prompt. In fact, nearly every State and Territory in the Union, as well as the officials of foreign countries, through their Governors and Mayors, showered supplies by the trainload upon us and sent us money by telegraph, mail and express, and deluged us with messages of sympathy and condolence and inquiries, which were quickly responded to, as to what were our most pressing needs.

The quick responses to our cry of distress from not only the people of our State and those of our close neighbors, but also from the other States and Territories, as well as from the governments of foreign countries, gave evidence that, even as we have often sent aid to other peoples whom great calamities had rendered destitute and helpless, so all the world looked with great sympathy upon stricken San Francisco and neighbor-cities, and were eager to render them what help they could. Our obligations to those who so quickly and so freely sent us aid and comfort are very great indeed. Words cannot express the feelings of gratitude we feel toward them. And, should occasion require (which God forbid), it will be our pleasure to return to them in kind the aid they freely and generously tendered us.

I also desire to express my thanks for, and appreciation of, the prompt and efficient service rendered our stricken cities and their people by Maj.-Gen. Greely, U. S. A., commanding the Division of the Pacific; by Brig.-Gen. Frederick Funston, U. S. A., commanding the Department of San Francisco, and the officers and men under their commands. By permission of the President and the Secretary of War, the Federal troops were sent into the city and gave most valuable aid towards preserving order and taking care of the people who, driven from their homes by the fire, were forced to encamp in the public parks. Federal stores, tentage, rations, medical supplies, and field and post hospitals were quickly and in plentiful supply given to our people; and the trained services of the officers of the army were freely given to help us in every possible way.

Maj.-Gen. Greely being out of the State on the 18th of April, the command of the Federal forces devolved upon Brig.-Gen. Funston, who, waiving all questions as to the niceties of the law and the possibilities of a clash of National and State authorities, instantly put his forces in motion and gave the municipal and State authorities most valuable aid and assistance.

Maj.-Gen. Greely, hearing of San Francisco's great disaster, instantly turned himself toward California, and upon arriving in San Francisco on April 22d took the command of the Federal troops and continued them in the good work already begun by them. Under his skilled direction order was brought out of chaos, the sanitation of the camps was taken care of, food supplies were given out with ever-increasing system, and the civil authorities were aided in every way.

The sympathies and offers of any possible assistance were quickly sent by wire by the President of the United States and the Secretary of War. Had it not been for their prompt assistance our distress and destitution would have been much greater.

The Senate and House of Representatives of the National Congress came quickly and generously to our aid, and appropriated two and a half millions of dollars to relieve our distressed and destitute. To our Senators and Representatives in Congress we are under many and lasting obligations; and Congress is worthy of our heartfelt thanks.

To Mayor Schmitz and the corps of able citizens who so freely volunteered their services to aid him and his people much praise is due for the promptness and clear-headedness with which they performed their onerous duties.

Dr. E. T. Devine, head of the Red Cross, came as quickly to our aid as steam could carry him from the East. His services in arranging and systematizing relief work have been most valuable and are gratefully acknowledged. The work that be

and his efficient corps of assistants of the Red Cross inaugurated and are still carrying on in the City of San Francisco saved many thousands of our people from still greater distress and destitution.

Other towns than San Francisco suffered greatly. Santa Rosa, San José, Redwood City, Palo Alto and other localities were visited with partial destruction. But, compared with the greater disaster, so far as regards the total destruction of property, in San Francisco, their losses have been, perhaps, overshadowed. Their needs should not, however, be forgotten.

Oakland and other cities surrounding the bay, with which communication was both easy and expeditious, received in the first few days from San Francisco many thousand refugees, to whom they opened up their homes, and of whom they have been and still are taking care.

The people of San Francisco demonstrated their wonderful self-control under the most trying conditions. Many thousands of them had lost all they had in the world and, pursued by the fire, were seeking safety for their very lives. Yet there was no wild confusion, no wringing of hands, no hysterical tears, no giving way to transports of grief and terror. And to-day San Francisco, with half her territory covered with the ashes and debris of what were once her homes and great buildings, is not daunted by the magnitude of the disaster which fell upon her with such crushing force. Her people, sturdy, brave and determined, have already begun to retrieve their shattered fortunes. The metropolis of California will soon again regain, as she has twice before, the things the fire has swept away.

The earthquake, severe and destructive as it was, did not do, as has been so wildly heralded, much damage, in comparison with the following fire, to San Francisco and her people. But few buildings were shattered or thrown down by the shock. The fires which followed on the earthquake's heels quickly became uncontrollable, and, because of the broken water mains, in three days and two nights of terror and distress, laid low three-quarters of San Francisco. It was the fire, and not the earthquake, that laid half of San Francisco low.

Gentlemen of the Legislature, upon you devolves the solemn and necessary duty of giving such aid and comfort to those of our people who have suffered so heavily in the great disaster as reasonably lie in your power. That that aid and comfort should be quickly given goes without saying; for the needs are great and pressing. In common with the people of the State, I wish you all success in your labors of the coming days of your session, and hope that harmony may mark all your deliberations, to the end that your labors may be quickly performed and brought to a speedy and successful end.

Very respectfully, your obedient servant,

GEO. C. PARDEE,
Governor of California.

RESOLUTION.

By Mr. Dorsey:

Resolved, That the Sergeant-at-Arms of the Assembly be directed to place in his office a Sunset and a Capital telephone for the use of the members of the Assembly; also to provide the office of the Chief Clerk with one of such telephones.

The resolution was read, and on motion adopted.

RECESS.

At two o'clock and seventeen minutes p. m. the Acting Speaker, on motion of Mr. McGowan, declared the Assembly at recess until four o'clock p. m.

AFTERNOON SESSION.

The Assembly reconvened at four o'clock p. m.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF SPECIAL COMMITTEE ON ATTACHÉS.

The Special Committee on Officers and Attachés submitted the following report:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

MR. SPEAKER: We, your Special Committee on Attachés, appointed this day, respectfully submit the following report:

We recommend the creation of the following offices, and that the same be filled by the respective persons herein named:

	PER DIEM.
Chief Clerk.....	Clio Lloyd, at \$8.00
Sergeant-at-Arms.....	John T. Stafford, at \$6.00
Assistant Clerk.....	C. A. Thompson, at \$6.00
Assistant Clerk.....	T. G. Walker, at \$6.00
Assistant Clerk.....	Edward Hinkle, at \$6.00
Assistant Clerk.....	Ed J. Smith, at \$6.00
Assistant Sergeant-at-Arms.....	Ben Cohn, at \$5.00
Assistant Sergeant-at-Arms.....	Edward Little, at \$4.00
Assistant Sergeant-at-Arms.....	D. R. Dunbar, at \$4.00
Minute Clerk.....	J. Steppacher, at \$6.00
Assistant Minute Clerk.....	N. T. Duffy, at \$6.00
Assistant Minute Clerk.....	W. A. Karns, at \$6.00
Journal Clerk.....	R. L. Dempsey, at \$6.00
Assistant Journal Clerk.....	R. G. Stitt, at \$5.00
Engrossing and Enrolling Clerk.....	C. S. MacMullan, at \$6.00
Assistant Engrossing and Enrolling Clerk.....	M. J. Hallahan, at \$5.00
Bookkeeper to Sergeant-at-Arms.....	C. W. Haub, at \$5.00
File Clerk.....	W. C. Guirey, at \$6.00
Chaplain.....	Rev. W. F. Reager, at \$4.00
Postmistress.....	Mrs. Pauline Smith, at \$4.00
Assistant Postmistress.....	Miss E. Burnett, at \$4.00
Assistant Postmistress.....	Miss E. Brill, at \$4.00
Mail Carrier.....	Mark Sena, at \$3.00
Bill Filer.....	Henry Nelson, at \$4.00
Porter.....	John Kofod, at \$3.00
Porter.....	A. S. Hall, at \$3.00
Porter.....	Harry Stetson, at \$3.00
Porter.....	James Wells, at \$3.00
Electrician.....	Walter Williams, at \$4.00
Elevator Attendant.....	James McNamara, at \$3.00
Gatekeeper.....	John Barr, at \$3.00
Gatekeeper.....	Frank Whitney, at \$3.00
Gatekeeper.....	Nelson Shafer, at \$3.00
Bill Clerk.....	M. M. Miller, at \$4.00
Engineer.....	Frank Pendergast, at \$4.00
Messenger to Printer.....	Leslie Burnett, at \$3.00
Watchman.....	Charles Greenwald, at \$3.00
Watchman.....	C. Krump, at \$3.00
Watchman.....	George Kellong, at \$3.00
Page to Speaker.....	William Saunders, at \$2.50
Page.....	Harold Thornton, at \$2.50
Page.....	Lester Summerfield, at \$2.50
Page.....	Raymond Hart, at \$2.50
Page.....	Ed Curran, at \$2.50
Page.....	Sanford Barnes, at \$2.50
Clerk to Judiciary Committee.....	Ed Dwyer, at \$6.00
Stenographer.....	Miss A. Brugge, at \$5.00
Stenographer.....	Mrs. C. B. Duncan, at \$5.00
Stenographer.....	Mrs. Mabel McPhail, at \$5.00
Stenographer.....	E. W. Jones, at \$5.00
Stenographer.....	Miss Lena Jackson, at \$5.00
Stenographer.....	Miss E. A. Lynch, at \$5.00
Stenographer.....	Mrs. Agnes Pernell, at \$5.00

And we further recommend the adoption of the following resolution:

Resolved, That the Controller of State be and he is hereby directed to draw his warrant in favor of the above-mentioned persons, and the State Treasurer is hereby directed to pay such warrants for and at the per diem set opposite the names of said persons; and be it further

Resolved, That all officers, attachés and employés whose names do not appear in the above report or in the foregoing resolution are hereby dismissed and their names stricken from the payroll.

Respectfully submitted.

J. A. BLISS.
FRANK R. DEVLIN.
SAM'L H. BECKETT.

Report and resolution read.

Mr. Bliss moved the adoption of the report and resolution as submitted.

Mr. Duryea moved to amend the report and resolution by adding the name of Fred Duden as Stenographer of the Judiciary Committee.

Mr. Treadwell moved, as an amendment to the motion, that the report and resolution be made a special order for consideration at the session of the Assembly to be held this evening.

Mr. Espey moved to amend Mr. Treadwell's motion to amend by adding that the report and resolution be sent to the printer with a rush order and laid on the desks of members before action on same be taken.

Mr. Treadwell having accepted the amendment of Mr. Espey, his motion to amend was put and carried.

SPECIAL ORDERS.

On motion of Mr. McGowan, the special orders, Assembly Bills Nos. 1, 2, 3, and 4, heretofore set for this hour, were taken up for consideration.

Mr. McGowan moved that Assembly Bill No. 2—An Act validating acts done or performed on legal holidays—be re-referred to the Committee on Judiciary.

Motion carried, and such was the order.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Assembly Bill No. 1 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Atkinson, Bates, Beardslee, Beckett, Bliss, Boyle, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Wickersham—65.

NOES—None.

Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read second time and considered engrossed.

Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—66.

NOES—None.

Title read and approved.

Assembly Bill No. 1 was ordered immediately transmitted to the Senate.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Assembly Bill No. 3 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Jones of San Francisco, Jury, Lumley, Lynch, Maxwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transuc, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Bill read second time.

AMENDMENT.

Mr. McGowan moved the adoption of the following amendment:

Amend by striking from line four of the printed bill the word "June" and inserting in place and stead thereof the word "July."

Amendment read and adopted.

Bill ordered engrossed and sent to the printer with a rush order.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Assembly Bill No. 4 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Hartman, Hawkins, Held, Jarvis, John, Jury, King, Luccy, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings.

Bill read second time.

AMENDMENT.

Mr. McGowan moved the adoption of the following amendment:

Amend by inserting in line one of the printed bill a comma after word "where" and a comma after the word "law," and by adding the following after the word "law" in line

eleven: "But the provisions of this Act shall not apply to the summary proceedings provided for in Sections 1159 to 1179, both inclusive, of the Code of Civil Procedure, nor to criminal actions."

Amendment read and adopted.

Bill ordered to engrossment, and ordered sent to the printer with a rush order.

MADE SPECIAL ORDERS.

Mr. Duryea moved that Assembly Bills Nos. 3 and 4 be made special orders for eight o'clock this evening.

Motion carried, and such was the order.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

On motion of Mr. Duryea, the introduction and reference of bills was resumed.

Bills were introduced and referred as follows:

By Committee on Judiciary: Assembly Bill No. 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required, or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions.

Bill read first time.

MADE SPECIAL ORDER.

Mr. Duryea moved that Assembly Bill No. 48 be sent to the printer with a rush order, and that the same be made a special order for this evening at eight o'clock, to follow special orders set for that hour.

Motion carried, and such was the order.

INTRODUCTION AND REFERENCE OF BILLS—(RESUMED).

Bills were introduced and referred as follows:

By Mr. King: Assembly Bill No. 49—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Cromwell: Assembly Bill No. 50—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Held: Assembly Bill No. 51—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Arnerich: Assembly Bill No. 52—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Stanton: Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra

session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read first time.

Also: Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read first time.

Also: Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read first time.

MADE SPECIAL ORDERS.

Mr. Stanton moved that Assembly Bills Nos. 53, 54, and 55 be sent to the printer with a rush order and that they be made special orders for consideration at eight o'clock this evening, to follow special orders already set for that hour.

Motion carried.

INTRODUCTION OF BILLS—(RESUMED).

The following bill was introduced and referred:

By Mr. Jury: Assembly Bill No. 56—An Act amending subdivision eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds.

•Bill read first time, and referred to Committee on Education.

REPORT OF COMMITTEE ON RULES AND REGULATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

MR. SPEAKER: Your Committee on Rules and Regulations recommend the adoption of the following amendment to the rules of this house, to wit:

Amend Subdivision 25 of Rule 26, entitled "Standing Committees," by striking out the word "twenty-three" and inserting in lieu thereof the word "thirty."

Mc CARTNEY, Chairman.

Report of committee read and adopted.

RESOLUTIONS.

By Mr. Cromwell:

Resolved, That the State Controller draw his warrant in favor of the Chief Clerk in the sum of fifty dollars, and the State Treasurer is hereby directed to pay the same, said sum being for postage, telegraphing, and other incidental expenses.

Resolution read.

Mr. Duryea moved the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amcrige, Anthony, Arnerich, Bates, Beardslee, Bliss, Boyle, Burge, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Deylin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitchell, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Stobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—65.

NOES—None.

By Mr. Dorsey:

Resolved, That the Sergeant-at-Arms of the Assembly, or the Bookkeeper to the Sergeant-at-Arms, be and they are hereby authorized to receipt to the Controller for all warrants for payments to members, officers, and attachés of the Assembly.

Resolution read and adopted.

By Mr. Coyle:

Be it Resolved, In the interest of the economy of time as well as money, that the necessary attachés, for this extraordinary session of the Legislature of California, shall be employed by the Chief Clerk, where ability will be the necessary qualification, at an expense of not to exceed \$120 per day, and that no patronage shall be allowed individual members.

Resolution read and, on motion of Mr. Anthony, was referred to the Committee on Judiciary.

REPORT OF STANDING COMMITTEE ON MILEAGE.

The Committee on Mileage submitted the following report:

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

Your Committee on Contingent Expenses and Mileage beg leave to report that they have computed the mileage according to Part 11, Title 111, and Section 237 of the Political Code, and recommend the adoption of the resolution herewith:

Resolved, That the State Controller be and he is hereby directed and ordered to draw his warrant upon the proper fund in favor of the following named officers and members of the Assembly for the amounts set opposite each of their names, and the State Treasurer is hereby ordered and directed to pay the same.

Name.	Residence.	Miles.	Amount.
Amerige, E. R.	Fullerton	1,026	\$102 60
Anthony, Marc.	San Francisco	180	18 00
Arnerich, Paul	Los Gatos	276	27 60
Atkinson, Thos. E.	San Francisco	180	18 00
Bates, J. Clem.	Alameda	176	17 60
Beardslee, R. L.	Stockton	96	9 60
Beckett, Samuel H.	San Francisco	180	18 00
Bliss, John A.	Oakland	168	16 80
Boyle, Patrick J.	San Francisco	180	18 00
Branstetter, Louis P.	Ferndale	644	64 40
Burge, S. S.	Merced	228	22 80
Burke, John J.	Oakland	168	16 80
Busick, Chas. O.	Sacramento	2	20
Chandler, W. F.	Fowler	358	35 80
Cleveland, George C.	Watsonville	436	43 60
Coghlan, Nathan C.	San Francisco	180	18 00
Cooper, J. B. R.	Monterey	416	41 60
Coyle, James L.	Hornbrook	634	63 40
Creighton, J. H.	Redding	342	34 20
Cromwell, F. A.	Petaluma	212	21 20
Cullen, John A.	San Francisco	180	18 00
Devlin, Frank R.	Vallejo	80	8 00
Dorsey, Jesse R.	Bakersfield	556	55 60
Drew, A. M.	Fresno	338	33 80
Duryea, Frank A.	Lincoln	104	10 40
Ells, Harry	Stege	170	17 00
Espey, R. H. E.	Oakland	168	16 80
Estudillo, Miguel	Riverside	1,024	102 40
Gans, H. S.	Red Bluff	270	27 00
Gates, Dr. W. F.	Oroville	172	17 20
Goodrich, John A.	Pasadena	912	91 20
Hartman, Gus.	San Francisco	180	18 00
Hawkins, N. A.	Woodland	46	4 60
Held, W. D. L.	Ukiah	300	30 00
Houser, Fred W.	Los Angeles	894	89 40
Jarvis, Ward	Santa Clara	250	25 00
John, Warren M.	San Luis Obispo	686	68 60
Johnstone, W. A.	San Dimas	1,024	102 40
Jones, C. V.	Sonora	250	25 00
Jones, Fred C.	San Francisco	180	18 00
Jury, R. H.	San Mateo	254	25 40
King, P. S.	Napa	122	12 20

Name.	Residence.	Miles.	Amount.
Lucey, Jeremiah	San Francisco	180	\$18 00
Lumley, Aubrey M.	Porterville	482	48 20
Lynch, Edw. J.	Walsh's Station	26	2 60
Manwell, E. T.	Wheatland	80	8 00
McCartney, H. S. G.	Los Angeles	894	89 40
McGowan, George A.	San Francisco	180	18 00
McKenney, C. H.	Ione	142	14 20
McNamara, Francis	San Francisco	180	18 00
Meincke, Fred J.	San Francisco	180	18 00
Mindham, Wm. J.	San Francisco	180	18 00
Mitcheltree, Fayette	Palo Alto	296	29 60
Moore, J. W.	Undine	110	11 00
O'Brien, Frank J.	Sacramento	2	20
Olmsted, S. H.	San Rafael	210	21 00
Perkins, David T.	Hueneme	1,002	100 20
Pfaeffle, Eugene E.	San Francisco	180	18 00
Pryor, John F.	Hanford	428	42 80
Pyle, E. M.	Santa Barbara	920	92 00
Rolley, George T.	Eureka	624	62 40
Severance, Fred V.	San Francisco	180	18 00
Slaven, James	San Juan	380	38 00
Stanton, Philip A.	Los Angeles	894	89 40
Strobridge, E. K.	Haywards	196	19 60
Strohl, Louis	San Francisco	180	18 00
Thompson, Newton W.	Alhambra	966	90 60
Transue, J. P.	Los Angeles	894	89 40
Treadwell, Edw. F.	San Francisco	180	18 00
Vogel, Mel.	San Francisco	180	18 00
Walsh, Philip M.	Oakland	168	16 80
Weyand, Ernest	Colusa	154	15 40
Whiting, Edw. F.	Grass Valley	142	14 20
Wickersham, Wm. H.	San Pedro	950	95 00

CONTINGENT EXPENSES.

Lloyd, Clio	Santa Barbara	920	92 00
Steppacher, J.	San Francisco	180	18 00
Stafford, J. T.	Sacramento	2	20

BECKETT,
DORSEY,
CREIGHTON,
SLAVEN,
Committee.

Report read.

On motion of Mr. Espey, the report was ordered printed in the Journal before further consideration.

RESOLUTIONS—(RESUMED).

By Mr. Coghlan:

Resolved, That by reason of the services rendered the Assembly by Charles A. Thompson and Thomas G. Walker, assistant clerks at the desk, in the preliminary work prior to and in the organization of the Assembly, at the request of the Chief Clerk, the Controller is hereby directed to draw his warrant in favor of said Charles A. Thompson and Thomas G. Walker for \$50 each, for services and money expended, and the State Treasurer is ordered to pay said warrant out of the appropriation of the contingent expenses.

Resolution read, and referred to Committee on Contingent Expenses.

COMMITTEE APPOINTMENTS.

The Acting Speaker announced the following appointments on committees:

On Judiciary—Mr. Held in place of Mr. Waste.

Additional Members of Judiciary Committee—Messrs. Rolley, Cromwell, Hawkins, Coghlan, Anthony, Goodrich and Estudillo.

On Ways and Means—Mr. Transue in place of Mr. Waste.

On Revenue and Taxation—Messrs. Chandler and Gates in place of Messrs. Waste and Barnes.

On Public Buildings and Grounds—Mr. Wickersham in place of Mr. Barnes.

On Universities—Mr. Bliss in place of Mr. Waste.

INVITATION TO WIVES AND DAUGHTERS OF MEMBERS.

The Acting Speaker made the following announcement:

The Tuesday Club of Sacramento will hold a reception at the Governor's residence next Monday afternoon, from 2:30 to 4:30 o'clock, and the ladies desire to extend to the wives and daughters of the members of the Legislature a cordial invitation to attend the reception.

RECESS.

At five o'clock and twenty-seven minutes P. M., on motion of Mr. McGowan, the Acting Speaker declared a recess until eight o'clock P. M.

EVENING SESSION.

The Assembly reconvened at eight o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

RESOLUTION.

By Mr. Jones of San Francisco:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five dollars (\$25) for contingent expenses, as provided by law, payable out of the appropriation for the contingent expenses of the Assembly; and that the aggregate amount of the value of the stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Mr. Stanton moved that the resolution be laid on the table.

Motion carried, and such was the order.

RECESS.

At eight o'clock and nineteen minutes P. M., there being no objection, the Acting Speaker declared a recess for fifteen minutes.

RECONVENED.

The Assembly reconvened at eight o'clock and thirty-five minutes P. M.

Hon. Thomas E. Atkinson, Acting Speaker, in the chair.

RESOLUTION.

By Mr. Cleveland:

Be it Resolved, That the Sergeant-at-Arms be and he hereby is authorized to purchase two hundred "Star binders" for the use of the Assembly committees, and the press, and the Controller is authorized to draw his warrant for \$200 in favor of the Sergeant-at-Arms, and the Treasurer is authorized to pay the same.

Resolution read, and referred to Committee on Contingent Expenses.

REPORT OF COMMITTEE ON ENGROSSMENT.

The following report of the Committee on Engrossment and Enrollment was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 2, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following amended bills correctly engrossed: Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Assembly Bill No. 4—An Act extending the time within which to perform acts in judicial proceedings.

DEVLIN, Chairman.

SPECIAL ORDERS.

Special orders, Assembly Bills Nos. 3 and 4, as amended, set for this hour, were called up for consideration.

Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.

Bill read third time as amended.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cullen, Devlin, Dorsey, Drew, Duryca, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—65.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

Assembly Bill No. 4 An Act extending the time within which to perform acts in judicial proceedings.

Bill read third time as amended.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryca, Ells, Espey, Gans, Gates, Hartman, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGE.

There being no objection, the Acting Speaker called up Senate message.

The following was read by the Clerk:

SENATE CHAMBER, SACRAMENTO, June 2, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, adopted the following resolution:

Resolved, That the Secretary of the Senate is hereby directed to notify the Assembly, that the Senate is now duly organized and ready to proceed to the business of the State having elected the following statutory officers:

President pro tem.....	Edward I. Wolfe.
Secretary of Senate.....	L. A. Hilborn.
Sergeant-at-Arms.....	J. Louis Martin.
Minute Clerk.....	D. G. Holt.
Chaplain.....	C. L. Miel.
Postmistress.....	Miss B. Woodworth.

LEWIS A. HILBORN, Secretary of Senate.

RECESS.

At nine o'clock and five minutes p. m., there being no objection, the Acting Speaker declared a recess for forty-five minutes.

RECONVENED.

At nine o'clock and fifty minutes P. M. the Assembly reconvened.
Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

SPECIAL ORDER.

The Acting Speaker called up Assembly Bill No. 48, set for consideration as a special order for this time.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Assembly Bill No. 48 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Espey, Estudillo, Gans, Gates, Hartman, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Manwell, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions.

Bill read second time and considered engrossed.

Assembly Bill No. 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179, inclusive, of the Code of Civil Procedure, and criminal actions.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Hartman, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

NOES—None.

Title read and approved.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Assembly Bill No. 53 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring

that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

The roll was called, and the resolution declared adopted by the following vote :

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Hartman, Held, Houser, Jarvis, John, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—65.

NOES—None.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with the Acting Speaker in the chair, for the purpose of considering Assembly Bill No. 53.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 53 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and do now report the same back and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time and considered engrossed.

Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Gates, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

SENATE MESSAGES.

There being no objection, the Acting Speaker directed that Senate messages be taken up and read.

The Clerk read the following:

SENATE CHAMBER, SACRAMENTO, June 2, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

LEWIS A. HILLBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Senate Bill No. 4 read first time.

URGENCY RESOLUTION.

By Mr. Treadwell:

Resolved, That Senate Bill No. 4 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed on its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—62.

NOES—None.

Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

Bill read second time.

Senate Bill No. 4—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the limitation of actions.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—62.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON ATTACHÉS CALLED UP.

The report of the Special Committee on Officers and Attachés, made a special order for consideration at this evening's session, was called up.

RESOLUTION.

By Mr. Busick:

Resolved, That the report of the Committee on Attachés be amended by striking therefrom the two positions of Assistant Postmistress, and the name of Miss E. Burnett,

Assistant Postmistress, and the name of Miss E. Brill, Assistant Postmistress, and that the report of the committee, when so amended, be adopted.

The resolution was read, and refused adoption.

Mr. Weyand moved to amend the report by adding the name of Fred Roche, Assistant Sergeant-at-Arms, at \$4 per day.

Motion lost.

Messrs. Espey, Bliss, and Rolley called for the main question, and such was the order.

The roll was thereupon called, and the report and resolution by the Committee on Officers and Attachés was adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Busick, Chandler, Coghlan, Cooper, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Hartman, Held, John, Jones of San Francisco, Jury, King, Lumley, Manwell, McCartney, McGowan, McNamara, Meincke, Mindham, Moore, O'Brien, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—Messrs. Dorsey and Severance—2.

SENATE MESSAGE.

On motion of Mr. Duryea, the following Senate message was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 2, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILLBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Assembly Bill No. 53 ordered to enrollment.

RESOLUTION.

By Mr. Treadwell:

Resolved, That Assembly Bill No. 10 be sent to the printer with a rush order.

Resolution read and adopted.

ADJOURNMENT.

At eleven o'clock and forty-six minutes P. M., on motion of Mr. Stanton, the Acting Speaker declared the Assembly adjourned until ten o'clock A. M. of Sunday, June 3, 1906.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Sunday, June 3, 1906.

The Assembly met, pursuant to adjournment, this Sunday, June 3, 1906, at ten o'clock A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Mindham, Mitchellree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Slaven, Strobidge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

Quorum present.

LEAVE OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Manwell and Bliss.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING OF JOURNAL DISPENSED WITH.

On motion of Mr. McGowan, the reading of the Journal of Saturday, June 2, 1906, was dispensed with.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Houser:

Resolved, That on or prior to the fourth day of the session, the Speaker pro tem. shall appoint a standing committee on "Introduction of Bills," to consist of three members.

All motions for leave to introduce bills after the fourth day shall be sent to the desk in writing, under the order of "Introduction of Bills," and at no other time. The motion shall give the title of the bill, and shall be accompanied by the bill. The bill shall thereupon be referred to the Committee on Introduction of Bills.

That committee shall examine bills referred to it with particular reference to the question as to whether there is already any bill in either house of the same character which might be amended to effect the result sought; also as to whether the bill proposed comes within the call by the Governor for the extra session, and generally as to the advisability of introducing the measure.

The committee shall report upon each bill so referred to it on the same legislative day. The report shall be made at the conclusion of the consideration of the Senate Special File.

The committee may, in its discretion, incorporate more than one bill in the resolution to grant leave to introduce, incorporating in the resolution the title of each bill in full. And the roll shall be called upon the adoption of the resolution without debate.

If a division of the question is demanded upon the introduction of any particular bill, the division shall be allowed, and the roll called separately upon the bill.

Mr. Houser moved the adoption of the resolution.

Mr. Treadwell moved to amend the resolution by striking out the words "and the roll shall be called upon the adoption of the resolution without debate."

Mr. Houser accepted the amendment.

The resolution as amended, on being put to vote, was declared carried.

By Mr. Devlin:

Resolved, That the name of George Kellong be stricken from the list of watchmen, and the name of P. H. Prendergast be substituted in place thereof.

The resolution was adopted.

REPORT OF COMMITTEE ON MILEAGE CALLED UP.

Mr. Beckett moved to take up for action the report and resolution of the Committee on Mileage, submitted on the previous day.

Motion carried.

Mr. Beckett moved to amend the resolution by striking out therefrom the following words and figures: "W. A. Johnstone, San Dimas (1,024 miles), \$102.40."

Amendment adopted.

Mr. Jones of San Francisco moved that the report and resolution of the committee be laid on the table.

Motion lost.

Mr. Beckett moved the adoption of the report and resolution of the committee as amended.

Messrs. Coghlan, Treadwell, and Beckett called for the previous question.

On being put to vote, the motion for the previous question was called for.

The question being on the adoption of the report and resolution of the Committee on Mileage, as amended.

The roll was ordered called, and the report and resolution were adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Chandler, Cleveland, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Estudillo, Gans, Goodrich, Held, Jarvis, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Mindham, Mitcheltree, O'Brien, Olmsted, Perkins, Pfäeffle, Pryor, Pyle, Rolley, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—54.

NOES—Messrs. Busick, Cooper, Gates, Houser, Moore, and Slaven—6.

NOTICE OF RECONSIDERATION.

Mr. Jones of San Francisco gave notice that on the next legislative day he would move to reconsider the vote whereby the report and resolution of the Committee on Mileage, as amended, were adopted.

MOTION TO ADJOURN LOST.

At eleven o'clock and fifteen minutes A. M., Mr. Gates moved that the Assembly adjourn until to-morrow (Monday) at ten o'clock A. M.

Motion lost.

RECESS.

At eleven o'clock and nineteen minutes A. M., the Acting Speaker, there being no objection, declared a recess for twenty minutes.

RECONVENED.

At eleven o'clock and forty minutes A. M., the Assembly reconvened. Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

SENATE MESSAGES.

Mr. Duryea moved to take up Senate messages.

Motion carried.

The Clerk read the following Senate message:

SENATE CHAMBER, SACRAMENTO, June 3, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, the following:

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceedings appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Also: Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Also: Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Senate Bill No. 17 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first second and third times, and placed upon its passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time.

Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. McGowan moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 17.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.
Senate Bill No. 17 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and do now report, and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 17—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Burge, Busick, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Held, Jarvis, John, Jones of Tuolumne, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Stanton, Strohbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 17 was ordered immediately transmitted to the Senate.

SENATE MESSAGE.

The Clerk read the following Senate message:

SENATE CHAMBER, SACRAMENTO, JUNE 3, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, the following as cases of urgency:

Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.

Also: Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

LEWIS A. HILBORN, Secretary of Senate.

CONSIDERATION OF SENATE AMENDMENT.

On motion of Mr. Treadwell, Assembly Bill No. 3, as amended in the Senate, was called up.

Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.

SENATE AMENDMENT.

The following Senate amendment to Assembly Bill No. 3 was read:

Amend title by inserting in line 3 of the title, after the word "delinquent," the word "tax."

Mr. Treadwell moved to concur in the Senate amendment.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 3?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beckett, Boyle, Burge, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Held, Houser, Jarvis, John, Jones of Tuolumne, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Mindham, Mitcheltree, Moore, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Bill No. 3 ordered to enrollment.

CONSIDERATION OF SENATE AMENDMENT.

Mr. Treadwell moved to call up Assembly Bill No. 1 as amended in the Senate.

Motion carried.

Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

SENATE AMENDMENT.

The following Senate amendment was read:

On page 2, Section 1, line 23, strike out the words "provided, that in any action between the company and the insured, such lists and copies of forms shall not be evidence against the company," and after the word "policy" insert a period.

Mr. Treadwell moved to concur in the Senate amendment.

SENATE AMENDMENT CONCURRED IN.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 1?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beckett, Boyle, Burge, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Goodrich, Hartman, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lynch, McCartney, McGowan, McKenney, McNamara, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—56.

NOES—Mr. Lumley—1.

Assembly Bill No. 1 ordered to enrollment.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Senate Bill No. 3 and Committee Substitute for Senate Bill No. 1 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Busick, Coghlan, Cooper, Coyle, Creighton, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Goodrich, Hartman, Held, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—58.

NOES—None.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Bill read first time.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Bill read second time.

Messrs. McCartney, McGowan, and Weyand demanded the main question, which, on being put to vote, was declared carried.

Committee Substitute for Senate Bill No. 1—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day or within any time in the month of June, 1906, prior to the last day of said month.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Boyle, Burge, Burke, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Espey, Estudillo, Gans, Hartman, Held, Jarvis, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Perkins, Pfaefle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—Messrs. Busick, Cooper, and John—3.

Title read and approved.

Committee Substitute for Senate Bill No. 1 was ordered immediately transmitted to the Senate.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Bill read first time.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Bill read second time.

Senate Bill No. 3—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Espey, Estudillo, Gans, Hartman, Held, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Bill No. 3 was ordered immediately transmitted to the Senate.

RECESS.

At one o'clock and ten minutes P. M., there being no objection, the Acting Speaker declared a recess of the Assembly until four o'clock P. M.

AFTERNOON SESSION.

The Assembly convened at four o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

RESOLUTION—(OUT OF ORDER).

By Mr. Cleveland:

Be it Resolved, That the Speaker appoint a committee of five from the Ways and Means Committee to visit the different public institutions and ascertain their needs; the said committee to be allowed actual railroad fare only.

Mr. Treadwell moved to lay the resolution on the table.

On being put to vote, the motion to lay the resolution on the table was declared carried.

SPECIAL ORDERS.

Mr. Stanton moved to take up special orders, Assembly Bills Nos. 54 and 55, set for this day.

Motion carried.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Assembly Bills Nos. 54 and 55 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Coghlan, Cooper, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Espey, Estudillo, Gans, Goodrich, Hartman, Held, Jarvis, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Severance, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Wickersham, and Mr. Speaker—57.

NOES—Mr. Cleveland—1.

Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bills Nos. 54 and 55.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bills Nos. 54 and 55 were considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 55—An Act making an appropriation to pay per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

And do now report back, and recommend that the same do pass.

ATKINSON, Chairman.

Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Cronwell, Cullen, Dorsey, Drew, Duryea, Espey, Estudillo, Gans, Goodrich, Hawkins, Held, Jarvis, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Severance, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Wickersham, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 54 was ordered transmitted to the Senate.

Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

Assembly Bill No. 55 having been considered in Committee of the Whole, with Assembly Bill No. 54, was ordered to be read the third time.

Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Bliss, Boyle, Branstetter, Burke, Burge, Bnsick, Chandler, Coghill, Cooper, Creighton, Cromwell, Cullen, Dorsey, Drew, Duryea, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Held, Jarvis, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitchellree, Moore, O'Brien, Olmsted, Perkins, Pfieffe, Pryor, Pyle, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Wickersham, and Mr. Speaker—55.
 NOES—None.

Title read and approved.

Assembly Bill No. 55 was ordered transmitted to the Senate.

RESOLUTION—(OUT OF ORDER).

By Mr. Dorsey:

Resolved, That the Sergeant-at-Arms be instructed to immediately furnish the seven stenographers of the Assembly with desks and typewriters, and such other accommodations as they will require.

The resolution, on being put to vote, was declared adopted.

REPORT BY COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Also: Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.

Also: Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

And presented the same to the Governor on this day at four o'clock and thirty minutes P. M.

DEVLIN, Chairman.

INTRODUCTION OF BILL—(OUT OF ORDER).

Mr. Arnerich requested, and was granted, leave to introduce a bill out of order.

By Mr. Arnerich: Assembly Bill No. 57—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

ADJOURNMENT.

Mr. Duryea moved that the Assembly do now adjourn until to-morrow (Monday) at nine o'clock and thirty minutes A. M.

At four o'clock and fifty-one minutes P. M., the Acting Speaker, Hon. Thos. E. Atkinson, declared the Assembly adjourned until Monday, June 4, 1906, at nine o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Monday, June 4, 1906.

The Assembly met, pursuant to adjournment, this Monday, June 4, 1906, at nine o'clock and thirty minutes A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Espey, Estudillo, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaefle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Stroll, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—70.

Quorum present.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 3, 1906, on motion of Mr. Weyand, the further reading was dispensed with.

The Journal of Saturday June 2, 1906, was read, corrected, and as corrected approved.

INTRODUCTION OF BILLS.

Bills were introduced and referred as follows:

By Mr. Slaven: Assembly Bill No. 58—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a.

Bill read first time, and referred to Committee on Education.

By Mr. Drew: Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read first time, and referred to Committee on Ways and Means.

LEAVE OF ABSENCE.

Mr. Walsh, on motion of Mr. Bates, was granted leave of absence for the day.

On motion of Mr. Arnerich, leave of absence for the morning session was granted to Mr. Manwell.

RECONSIDERATION LOST.

Mr. Stanton moved to reconsider the vote whereby the report and resolution by the Committee on Mileage was adopted on the previous day.

On being put to vote, the motion to reconsider was declared lost.

COMMITTEE ON INTRODUCTION OF BILLS.

The Acting Speaker announced that he appointed Messrs. Houser, Treadwell, and Bates to constitute the Standing Committee on "Introduction of Bills."

RESIGNATION.

The Clerk read the following:

MR. SPEAKER: I hereby resign as a member of the Committee on Ways and Means, and respectfully request that Hon. David T. Perkins of Ventura County be appointed on said committee in my place and stead. McCARTNEY.

APPOINTMENT ON COMMITTEE.

The Acting Speaker announced that he accepted the resignation of Mr. McCartney as a member of the Committee on Ways and Means, and appointed Mr. Perkins in his place.

RECESS.

Mr. Duryea moved to take a recess until two o'clock P. M.

Motion carried.

At ten o'clock and eleven minutes A. M., Hon. Thos. E. Atkinson declared a recess of the Assembly until two o'clock P. M.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

MOTION LOST TO WITHDRAW BILLS FROM COMMITTEE.

Mr. Espey moved that all appropriation bills relating to the University of California and referred to the Committee on Universities be withdrawn from that committee and referred to the Committee on Ways and Means.

Motion lost.

RESOLUTION—(OUT OF ORDER).

By Mr. Jury:

Resolved, That the State Printer be and he is hereby directed to deliver all bills as fast as printed, irrespective of regular order.

Resolution adopted.

MOTION.

Mr. Duryea moved to receive reports from standing committees.

Motion carried.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were received and read, as follows:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Judiciary Committee, having had under consideration Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed—reports the same back with three amendments, and recommends that it do pass as amended.

Also: Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents—reports the same back with two amendments, and recommends that it do pass as amended.

DURYEA, Chairman.

BILLS TAKEN UP.

Mr. Treadwell moved that Assembly Bills Nos. 11 and 12 be now taken up.

Motion carried.

Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

Amend Assembly Bill No. 11 by striking out of lines 3 and 4 of the title the words "lost or destroyed documents," and inserting in lieu thereof the words "public records or documents lost or destroyed by conflagration or other public calamity."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Strike out all from and including line 4 to line 16, both inclusive, Section 1 of the printed bill, and insert in lieu thereof the following:

"1855a. When it is desired to prove the contents of any public record or document lost or destroyed by conflagration or other public calamity, and, after proof of such loss or destruction, there is offered in proof of such contents, any notes, copies, extracts or other memoranda of and from such public record or document, at and prior to such loss or destruction kept and used by any person, firm or corporation engaged in the business of insuring titles to land, preparing abstracts of title to land, or issuing certificates of title to land, the same may be admitted in evidence on proof that they constitute a part of the plant regularly kept and used for that purpose by such person, firm or corporation, and that they were prepared in the ordinary course of business thereof prior to such loss or destruction, and without further proof by the person who actually made such copies, extracts, notes or memoranda that they were correctly taken from the original record or document."

Amendment adopted.

On motion of Mr. Treadwell, Assembly Bill No. 11 was ordered sent to the printer with a rush order, and ordered on the third-reading file.

Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

Amend Assembly Bill No. 12 by adding at the end of the title the words "by conflagration or other public calamity."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

In line 5 of the printed bill after the word "destroyed" insert the words "by conflagration or other public calamity."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Add at the end of line 9 of the printed bill the following: "*Provided*, that this act shall not apply to certificates of acknowledgments."

Amendment adopted.

On motion of Mr. Treadwell, Assembly Bill No. 12 was ordered sent to the printer with a rush order, and ordered on the third-reading file.

REPORTS OF STANDING COMMITTEES.

The Committee on Insurance and Insurance Laws submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Committee on Insurance and Insurance Laws, to whom was referred Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

BATES, Chairman.

On motion of Mr. Bates, Assembly Bill No. 29 was called up for second reading.

SECOND READING OF BILL.

Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read second time, and ordered to third-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

The Committee on Education submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 56—An Act amending Subdivision Eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

SLAVEN, Chairman.

On motion of Mr. Slaven, Assembly Bill No. 56 was called up for second reading.

SECOND READING OF BILL.

Assembly Bill No. 56—An Act amending Subdivision Eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds.

Bill read second time.

On motion of Mr. King, Assembly Bill No. 56 was referred to the Committee on Judiciary, and to retain its place on the second-reading file.

INTRODUCTION OF BILL.

Mr. Cromwell was granted unanimous consent to introduce a bill out of order.

By Mr. Cromwell: Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Bill read first time, and referred to the Committee on Ways and Means.

HOUR FOR RECESS.

Mr. Duryea moved that when the Assembly takes a recess this day it be until the hour of eight o'clock p. m.

Motion carried.

ASSEMBLY CONCURRENT RESOLUTION NO. 1.

Mr. Stanton was granted consent to introduce a concurrent resolution, which was read, as follows:

ASSEMBLY CONCURRENT RESOLUTION NO. 1.

Resolved by the Assembly, the Senate concurring. That the two houses of the Legislature adjourn *sine die* at twelve noon on Saturday, June 9, 1906.

Referred to Committee on Ways and Means.

RESOLUTIONS—(OUT OF ORDER).

By Mr. Devlin:

Resolved, That the Committee on Universities be instructed to report on bills referred to them by eight p. m. this day.

On being put to vote, the resolution was declared lost.

By Mr. Olmsted:

Resolved, That the names of the several Assembly and Senate committees be printed in the Journal for to-day.

The resolution, on being put to vote, was declared lost.

ASSEMBLY CONCURRENT RESOLUTION NO. 2.

Mr. John was granted consent to introduce a concurrent resolution, which was read, as follows:

ASSEMBLY CONCURRENT RESOLUTION NO. 2.

Be it resolved by the Assembly, the Senate concurring. That the extraordinary session of the California Legislature adjourn Friday, June 8, 1906, at twelve o'clock noon.

Referred to Committee on Ways and Means.

ASSEMBLY JOINT RESOLUTION NO. 1.

Mr. Treadwell offered the following joint resolution, which was read:

ASSEMBLY JOINT RESOLUTION NO. 1.

Relating to bill pending in the House of Representatives of the United States relating to five per cent of proceeds of sale of public lands.

WHEREAS, There is now pending in the House of Representatives of the United States, Senate Bill No. 1031, the purpose of which is to allow to the State of California five per cent of the net proceeds of the cash sales of public lands in this State, and which passed the United States Senate, February 1, 1906; and.

WHEREAS, The State of California has never received any sum upon such sales, while the other public-land states have received from five to twenty-six per cent of the receipts from the sale of the public domain within their borders; and,

WHEREAS, The allowance to California of her percentage upon such sales would be an act of equity, and would moreover, at this juncture materially aid her to bear the added financial burden entailed by the recent disaster to San Francisco.

Resolved by the Assembly and Senate of the State of California, jointly, That we respectfully request the Honorable Speaker of the House of Representatives to recognize Hon. S. C. Smith, Congressman from the Eighth District of the State of California, to the end that he may call up said Senate Bill No. 1031 for consideration and final action; and

Resolved, That the Secretary of the Senate and the Chief Clerk of the Assembly be directed to transmit immediately a copy of this resolution to the Honorable Speaker of the House of Representatives of the United States.

Mr. Treadwell moved the adoption of Assembly Joint Resolution No. 1.
Motion carried.

Mr. Treadwell moved that Assembly Joint Resolution No. 1 be immediately transmitted to the Senate.

Motion carried.

SENATE MESSAGE TAKEN UP.

Mr. McCartney moved that Senate messages be taken up.

Motion carried.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following, as cases of urgency:

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks, and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Assembly Bills Nos. 54 and 55 were ordered to enrollment.

URGENCY RESOLUTION.

By Mr. McGowan:

Resolved, That Senate Bill No. 63 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerieh, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Duryea, Ellis, Gates, Goodrich, Hawkins, Held, Jarvis, John, Jones of Tolumne, Jury, King, Lucey, Lumley, Lynch, Maxwell, McCartney, McGowan, McKenney, McSamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobridge, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—58.

NOES—None.

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time.

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. McGowan moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 63.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 63 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and do now report back, and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

THIRD READING OF BILL.

Senate Bill No. 63—An Act making an appropriation for the pay of officers, clerks and attachés of the Senate for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Brahmstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ellis, Gans, Gates, Goodrich, Hawkins, Held, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, Maxwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Bill No. 63 was ordered transmitted to the Senate.

GOVERNOR'S MESSAGE.

On motion of Mr. Duryea, it was ordered that messages from the Governor be taken up.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, June 4, 1906.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 1—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

Also: Assembly Bill No. 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent tax list.

Also: Assembly Bill No. 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

GEO. C. PARDEE,
Governor of the State of California.

RESOLUTION—(OUT OF ORDER).

Mr. Jones of San Francisco was granted leave to introduce the following resolution (out of order), which was read:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of four hundred and seventy-five dollars in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills attached for the preparation of the Assembly Chamber for the thirty-sixth (extra) session, viz:

Labor	\$158 00
Drayage	156 00
Varnishing	9 50
Replacing electrical fixtures	42 00
Electric cord	6 00
Relaying carpet and decorating muslin	82 50
Carpenter work	21 00
Total	\$475 00

Referred to Committee on Contingent Expenses.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Mr. Stanton was granted unanimous consent to introduce bills (out of order), as follows:

By Mr. Stanton: Assembly Bill No. 61—An Act making an appropriation for the purchase of law-books for the Attorney-General.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 62—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Bill read first time, and referred to Committee on Ways and Means.

RECESS.

At three o'clock and twenty minutes p. m., Hon. Thos. E. Atkinson, Acting Speaker, declared a recess of the Assembly until eight o'clock p. m. of this day.

RECONVENED.

At eight o'clock p. m. the Assembly was called to order by the Hon. Thos. E. Atkinson, Acting Speaker of the Assembly.

Quorum present.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered

twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof—reports the same back with the recommendation that it be adopted.

Also: Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature—reports the same back with one amendment, and recommends its adoption as amended.

DURYEA, Chairman.

CONSIDERATION OF CONSTITUTIONAL AMENDMENTS.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

Amendment read, and on roll call refused adoption by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Coghlan, Coyle, Cullen, Devlin, Dorsey, Drew, Duryea, Hartman, Jarvis, Jones of San Francisco, Jury, Manwell, McCartney, McNamara, Meincke, Mindham, O'Brien, Pfaffle, Pryor, Pyle, Rolley, Slaven, Strohl, Thompson, Transue, Treadwell, Vogel, Wickersham, and Mr. Speaker—38.

NOES—Messrs. Amerige, Chandler, Cleveland, Cooper, Creighton, Cromwell, Ells, Gans, Gates, Hawkins, Held, John, King, Lumley, McGowan, McKenney, Mitchell-tree, Olmsted, Perkins, Stanton, Strobbridge, and Whiting—22.

NOTICE OF MOTION TO RECONSIDER.

Mr. Stanton gave notice that on the next legislative day he would move a reconsideration of the vote whereby Assembly Constitutional Amendment No. 2 was this day refused adoption.

The Chief Clerk was directed to make such memorandum.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San Jose without ratification by the Legislature.

Mr. Duryea, on behalf of the Committee on Judiciary, submitted the following amendment and moved its adoption:

In line 6, page 1 of printed bill, strike out the words "so as to read as follows"; also, all of the balance of page 1, all of page 2, and lines 57 and 58 of page 3, and the words "to others provided that," in line 59, page 3 of the printed bill, and insert in lieu thereof the following:

By adding at the end of said Section 8 the following: Also begin the word "in" in line 59, page 3 of the printed bill, with a capital letter; Also, strike out the word "and" in line 62, page 3 of printed bill, after the word "county," and insert in lieu thereof the words "or of said"; also in line 76, page 3, of printed bill change the word "of" after the words "San Francisco" to "or."

On motion, the amendment was adopted and Assembly Constitutional Amendment No. 5 was ordered to print.

REPORT OF STANDING COMMITTEE.

ON CONTINGENT EXPENSES.

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolution by Mr. Jones of San Francisco:

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the contingent fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of \$475, in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, same being for the payment of the following bills attached for the preparation of the Assembly Chamber for the thirty-sixth (extra) session, viz:

Labor	\$158 00
Drayage	156 00
Varnishing	9 50
Replacing electrical fixtures	42 00
Electric cord	6 00
Relaying carpet and decorating muslin	82 50
Carpenter work	21 00
Total	\$475 00

Have had the same under consideration, and respectfully report the same back and recommend that the same be adopted.

CROMWELL, Chairman.

The roll was called, and the report of the committee and the resolution were adopted by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Eells, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Jones of San Francisco, Jury, King, Lucey, Lunley, McCartney, McGowan, McKenney, McNamara, McInerke, Mindham, Mitcheltree, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Stobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, and Mr. Speaker—56.

NOES—Mr. Amerige—1.

ADJOURNMENT.

At nine o'clock and twenty-seven minutes P. M., on motion of Mr. McCartney, the Acting Speaker, Hon. Thomas E. Atkinson, declared the Assembly adjourned until ten o'clock A. M. of Tuesday, June 5, 1906.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Tuesday, June 5, 1906.

The Assembly met, pursuant to adjournment, this Tuesday, June 5, 1906, at ten o'clock A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Eells, Gans, Gates, Goodrich, Hart

man, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, and Mr. Speaker—66.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Estudillo, Weyand, and Walsh.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 4, 1906, on motion of Mr. Pfaffle, the further reading of the Journal was dispensed with.

The Journal of Sunday, June 3, 1906, was corrected, and as corrected approved.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were received, as follows:

The Committee on Mileage submitted the following report and resolution, which were read:

ON MILEAGE.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906

MR. SPEAKER: Your Committee on Mileage beg leave to report the following:

Hon. Percy A. Johnson, mileage as a member of the Assembly for attendance at the extra session from Fallbrook, San Diego County, 1146 miles, \$114.60, and recommend the adoption of the following:

Resolved, That the Controller is authorized to draw his warrant, and the Treasurer is authorized to pay same, upon the proper fund of the Assembly.

BECKETT T. Chairman.

Mr. Beckett moved the adoption of the report and resolution.

The roll was called, and the report and resolution were declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, King, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—64.

NOES—None.

The Committee on Judiciary submitted the following report, which was read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Bill No. 10—An Act to provide for the establishment of land titles in case of the loss or destruction of records—reports the same back with one amendment, and recommends that it do pass as amended.

Also: Assembly Bill No. 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered—reports the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 18—An Act to amend Section 1034 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed—reports the same back, with the recommendation that the author withdraw the same.

Also: Assembly Bill No. 20—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the time of commencing actions other than for the recovery

of real property—reports the same back, with the recommendation that the author withdraw the same.

Also: Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901, relating to executions issuing out of justices' courts—reports the same back with amendment, and recommends that it do pass as amended.

Also: Assembly Bill No. 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachments in justices' courts, reports the same back, with the recommendation that it do not pass.

Also: Assembly Bill No. 33—An Act to add a new section to the Civil Code, to be known as Section 7a, relating to holidays—reports the same back, with the recommendation that the author withdraw the same.

Also: Assembly Bill No. 2—An Act validating acts done or performed on legal holidays—reports the same back, with the recommendation that the author withdraw the same.

DURYEA, Chairman.

BILLS TAKEN UP.

On motion of Mr. Treadwell, Assembly bills just reported by the Committee on Judiciary were ordered taken up for consideration.

Assembly Bill No. 10—An Act to provide for the establishment of land titles in case of the loss or destruction of records.

Bill read second time.

The Committee on Judiciary submitted the following amendment, which was read :

AMENDMENT TO ASSEMBLY BILL NO. 10.

An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

The people of the State of California, represented in Senate and Assembly, do enact as follows:

SECTION 1. Whenever the public records in the office of a county recorder have been, or shall hereafter be, lost or destroyed, in whole or in any material part, by flood, fire or earthquake, any person who claims an estate of inheritance, or for life in, and who is by himself or his tenant, or other person, holding under him, in the actual and peaceable possession of any real property in such county, may bring and maintain an action *in rem* against all the world, in the superior court for the county in which such real property is situate, to establish his title to such property and to determine all adverse claims thereto. Any number of separate parcels of land claimed by the plaintiff may be included in the same action.

SEC. 2. The action shall be commenced by the filing of a verified complaint, in which the party so commencing the same shall be named as plaintiff, and the defendants shall be described as "all persons claiming any interest in, or lien upon the real property herein described, or any part thereof," and shall contain a statement of the facts enumerated in section one of this act, a particular description of such real property, and a specification of the estate, title, or interest of the plaintiff therein.

SEC. 3. Upon the filing of the complaint, a summons must be issued under the seal of the court, which shall contain the name of the court and county in which the action is brought, the name of the plaintiff and a particular description of the real property involved, and shall be directed to "all persons claiming any interest in, or lien upon the real property herein described, or any part thereof," as defendants, and shall be substantially in the following form:

"In the Superior Court of the State of California in and for the county (or city and county) of....."

vs.	Plaintiff.	
All persons claiming any interest in, or lien upon, the real property herein described or any part thereof.		Action No. . . .
	Defendants.	

The people of the State of California, to all persons claiming any interest in, or lien upon, the real property herein described, or any part thereof, defendants, greeting:

You are hereby required to appear and answer the complaint of..... plaintiff, filed with the clerk of the above entitled court and county, within three months after the first publication of this summons, and to set forth what interest or lien, if any, you have in or upon that certain real property or any part thereof, situated in the county (or city and county) of..... State of California, particularly described as follows: (Here insert description).

And you are hereby notified that, unless you so appear and answer, the plaintiff will apply to the court for the relief demanded in the complaint, to wit: (Here insert a statement of the relief so demanded).

Witness my hand and the seal of said court.

(Seal) this .. day..... A. D.

Clerk."

SEC. 4. The summons shall be published in a newspaper of general circulation published in the county in which the action is brought. The newspaper in which such publication is to be made shall be designated by an order of the court or a judge thereof to be signed and filed with the clerk. No other order for the publication of the summons shall be necessary, nor shall any affidavit therefor be required, nor need any copy of the complaint be served, except as hereinafter required. The summons shall be published at least once a week for a period of two months, and to each publication thereof shall be appended a memorandum in substance as follows:

"The first publication of this summons was made in (here insert name) newspaper on the day of A. D." (inserting the date).

And if the affidavit provided for in Section 5 of this Act discloses the name of any person claiming an interest in the property, or a lien thereon adverse to the plaintiff, that fact, together with the name and address (if given) of said person shall be stated in a memorandum to be appended to the summons in substance as follows:

"The following persons are said to claim an interest in, or lien upon said property adverse to plaintiff," (giving their names and addresses as above provided). A copy of the summons, together with a copy of the foregoing memoranda, shall be posted in a conspicuous place on each separate parcel of the property described in the complaint within fifteen days after the first publication of the summons.

SEC. 5. At the time of filing the complaint, the plaintiff shall file with the same his affidavit, fully and explicitly setting forth and showing (1) the character of his estate, right, title, interest or claim in, and possession of the property, during what period the same has existed and from whom obtained; (2) whether or not he has ever made any conveyance of the property, or any part thereof, or any interest therein, and if so when and to whom; also a statement of any and all subsisting mortgages, deeds of trust, and other liens thereon; (3) that he does not know and has never been informed of any other person who claims or who may claim, any interest in, or lien upon, the property or any part thereof, adversely to him, or, if he does know or has been informed of any such person, then the name and address of such person. If the plaintiff is unable to state any one or more of the matters herein required, he shall set forth and show, fully and explicitly, the reasons for such inability. Such affidavit shall constitute a part of the judgment roll. If the plaintiff be a corporation, the affidavit shall be made by an officer thereof. If the plaintiff be a person under guardianship the affidavit shall be made by his guardian.

SEC. 6. If the said affidavit discloses the name of any person claiming any interest in, or lien upon, the property adverse to the plaintiff, the summons shall also be personally served upon such person if he can be found within the State, together with a copy of the complaint and a copy of said affidavit during the period of the publication of the summons; and to the copy of the summons delivered to any such person there shall be appended a copy of the memoranda provided for in Section 4 hereof.

If such person resides out of this State a copy of the summons, memoranda, complaint and affidavit shall be within fifteen days after the first publication of the summons deposited in the United States post office, enclosed in a sealed envelope, postage prepaid, addressed to such person at the address given in the affidavit or if no address be given therein, then at the county seat at the county in which the action is brought. If such person resides within this State and could not with due diligence be found within the State, within the period of the publication of the summons, then said copies aforesaid shall be mailed to him as above provided forthwith upon the expiration of said period of publication.

SEC. 7. Upon the completion of the publication and posting of the summons and its service upon and mailing to the persons, if any, upon whom it is hereby directed to be so specially served the court shall have full and complete jurisdiction over the plaintiff and the said property and of the person of every one having or claiming any estate, right, title or interest, in or to, or lien upon, said property, or any part thereof, and shall be deemed to have obtained the possession and control of said property for the purposes of the action, and shall have full and complete jurisdiction to render the judgment therein which is provided for in this act.

SEC. 8. At any time within three months from the first publication of the summons, or within such further time, not exceeding thirty days as the court may, for good cause, grant, any person having or claiming any estate, right, title or interest, in or to, or lien upon, said property or any part thereof, may appear and make himself a party to the action by pleading to the complaint. All answers must be verified and must specifically set forth the estate, right, title, interest, or lien so claimed.

SEC. 9. The plaintiff must, at the time of filing the complaint and every defendant claiming any affirmative relief must, at the time of filing his answer, record in the office of the recorder of the county in which the property is situated, a notice of the pendency of the action containing the object of the action or defense, and a particular description of the property affected thereby; and the recorder shall record the same in a book devoted exclusively to the recordation of such notices and shall enter, upon a map or plat of the parcels of land, to be kept by him for that purpose, on that part of the map or plat representing the parcel or parcels so described a reference to the date of the filing of such notice and, when recorded, to the book and page of the record thereof.

SEC. 10. No judgment in any such action shall be given by default; but the court must require proof of the facts alleged in the complaint and other pleadings.

SEC. 11. The judgment shall ascertain and determine all estates, rights, titles, interests and claims in and to said property and every part thereof, whether the same be legal or equitable, present or future, vested or contingent, or whether the same consist of mortgages or liens of any description and shall be binding and conclusive upon every person who, at the time of the commencement of the action, had or claimed any estate, right, title, or interest in or to said property, or any part thereof, and upon every person claiming under him by title subsequent to the commencement of the action. A certified copy of the judgment in such action shall be recorded in the office of the recorder of the county in which said action was commenced, and any party or the successor in interest of any party to said action may, at his option, file for record in the office of the recorder of such county the entire judgment roll in said action.

SEC. 12. Except as herein otherwise provided, all the provisions and rules of law relating to evidence, pleading, practice, new trials and appeals applicable to other civil actions shall apply to the actions hereby authorized.

At any time after the issuance of the summons, any party to the action may take depositions therein in conformity to law upon notice to the adverse party sought to be bound by such depositions and who have appeared in the action (if any) and upon notice filed with the clerk. The depositions may be used by any party against any other party giving or receiving the notice (except the clerk) subject to all just exceptions.

SEC. 13. The clerk shall number consecutively in a distinct series all actions hereby authorized and shall keep an index and register thereof devoted exclusively to such actions.

SEC. 14. Whenever judgment in an action hereby authorized shall have been entered as to any real property, no other action relative to the same property or any part thereof maintained under this act shall be tried until proof shall first have been made to the court that all persons who appeared in the first action or their successors in interest have been personally served with the papers mentioned in Section 6 of this act either within or without this State more than one month before the time to plead expired.

SEC. 15. An executor, administrator or guardian or other person holding the possession of property in the right of another, may maintain, as plaintiff, and may appear and defend in the action herein provided for.

SEC. 16. The word "county" whenever used in this act includes and applies to a consolidated city and county.

SEC. 17. The remedies provided for by this act shall be deemed cumulative, and in addition to any other remedy now or hereafter provided by law for quieting or establishing title to real property.

SEC. 18. All actions authorized hereby must be commenced before July 1st, 1909.

SEC. 19. This act shall be in force thirty days after its passage.

Amendment adopted.

Assembly Bill No. 10 was ordered to print, to engrossment, and on third-reading file.

Assembly Bill No. 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Bill read second time.

Assembly Bill No. 14 was ordered to engrossment and on third-reading file.

ORDERED TO ENGROSSMENT.

Hon. Thos. E. Atkinson, the Acting Speaker, ordered Assembly Bills Nos. 11 and 12 to engrossment.

BILLS WITHDRAWN.

Mr. McGowan, for the San Francisco Delegation, requested and was granted leave to withdraw Assembly Bills Nos. 2, 18, 20, and 33.

Assembly Bills Nos. 2, 18, 20, and 33 were ordered withdrawn.

BILLS TAKEN UP.

Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read second time.

The Committee on Judiciary submitted the following amendment, which was read:

COMMITTEE AMENDMENT No. 1.

In line 5 of the printed bill strike out the words "a case," and insert the words "all cases, including cases."

Amendment adopted.

Assembly Bill No. 27 was ordered to print, engrossment, and on third-reading file.

Assembly Bill No. 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read second time.

Assembly Bill No. 28 was ordered to engrossment and on third-reading file.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, JUNE 5, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof, and to authorize and direct the Secretary of State to countersign and make delivery of the same to the United States of America.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof.

Read first time, and referred to Committee on Judiciary.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

And presented the same to the Governor on this day at eleven o'clock A. M.

DEVLIN, Chairman.

SENATE MESSAGE.

The following message from the Senate was read:

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

URGENCY RESOLUTION.

By Mr. Stanton :

Resolved, That Senate Bill No. 18 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote :

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Branstetter, Burke, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, King, Lynch, Maxwell, McCartney, McGowan, McKemey, McNamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—62.

NOES—None.

Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time.

Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 18.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 18 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and do now report back and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

THIRD READING OF BILL.

Senate Bill No. 18—An Act making an appropriation to pay the per diem and mileage of the Lieutenant-Governor and Senators for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—MESSRS. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jury, King, Lucy, Lynch, Maxwell, McCartney, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Senate Bill No. 18 was ordered immediately transmitted to the Senate.

INTRODUCTION OF BILLS.

Bills were introduced and referred, as follows:

By Mr. Treadwell: Assembly Bill No. 63—An Act adding a new section to the Civil Code, to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

Also: Assembly Bill No. 64—An Act appropriating forty-five hundred (\$4,500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Bill read first time, and referred to Committee on Ways and Means.

RESOLUTION.

The following resolution was offered and read:

By Mr. Burke:

Resolved, That the names of all attachés heretofore employed who have not reported to the Chief Clerk and taken the oath be and they are hereby stricken from the payroll.

On motion of Mr. Treadwell, the resolution was referred to the Committee on Ways and Means.

RESOLUTION TAKEN FROM THE TABLE.

Mr. Creighton moved to take from the table the following resolution offered by Mr. Jones of San Francisco on June 2, 1906:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five dollars (\$25) for contingent expenses, as provided by law, payable out of the appropriation for the contingent expenses of the Assembly; and that the aggregate amount of the value of the stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

Motion carried.

RESOLUTION LOST.

Mr. Creighton moved the adoption of the resolution.

Mr. Duryea moved to amend the resolution by striking out "twenty-five dollars (\$25)," and inserting in lieu thereof "ten dollars (\$10)."

Amendment lost.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared lost by the following vote:

AYES—Messrs. Arnerich, Bates, Branstetter, Burge, Burke, Busick, Cleveland, Coghlan, Coyle, Creighton, Ells, Gans, Gates, Held, Jarvis, Johnson, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McGowan, McKenney, McNamara, O'Brien, Pfaffle, Whiting, and Mr. Speaker—29.

NOES—Messrs. Anthony, Beardslee, Beckett, Bliss, Boyle, Chandler, Cooper, Cromwell, Cullen, Devlin, Drew, Duryea, Goodrich, Hartman, Hawkins, Houser, John, Jones of Tuolumne, McCartney, Meincke, Mindham, Mitchelltree, Moore, Olmsted, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, and Wickersham—37.

VOTE RECONSIDERED.

Mr. Stanton called up his notice of reconsideration of the vote whereby Assembly Constitutional Amendment No. 2 was refused passage.

The question being, "Shall the Assembly reconsider the vote whereby Assembly Constitutional Amendment No. 2 was refused passage?"

The roll was called, and the vote was declared reconsidered by the following vote:

AYES—Messrs. Amcige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitchelltree, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—64.

NOES—Mr. Lumley—1.

CONSTITUTIONAL AMENDMENT REFERRED.

Mr. Drew moved that Assembly Constitutional Amendment No. 2 be referred to the Committee on Constitutional Amendments.

Mr. McGowan moved as a substitute that the Assembly resolve itself into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Constitutional Amendment No. 2.

Substitute lost.

The question recurring on Mr. Drew's motion.

On being put to vote, the same was declared carried.

RECESS.

On motion of Mr. McCartney, at twelve o'clock and six minutes P. M. the Acting Speaker declared a recess until two o'clock P. M.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were submitted and read, as follows:

ON BANKS AND BANKING.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 5, 1906.

MR. SPEAKER: Your Committee on Banks and Banking, to whom was referred Assembly Bill No. 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or a banking institution.

Also: Assembly Bill No. 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

PERKINS, Chairman.

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 5, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure, to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.

Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

DEVLIN, Chairman.

BILLS RE-REFERRED.

Mr. Bliss moved that Assembly Bills Nos. 5, 6, 7, 8, and 9, heretofore referred to the Committee on Universities, be withdrawn from that committee and re-referred to the Committee on Ways and Means.

Motion carried.

BILLS TAKEN UP.

Mr. McGowan moved that Assembly Bills Nos. 47 and 19 be taken up for consideration.

Motion carried.

Assembly Bill No. 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California, by adding a new section thereto to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or a banking institution.

Bill read second time.

Assembly Bill No. 47 was, on motion of Mr. Treadwell, referred to the Committee on Judiciary, to retain its place on the second-reading file.

Assembly Bill No. 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Bill read second time.

Assembly Bill No. 19 was ordered to engrossment and on third-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

Mr. Atkinson (in the chair) was granted unanimous consent to introduce (by request) a bill out of order.

By Mr. Atkinson (by request): Assembly Bill No. 65—An Act relating to lost or destroyed bonds, debentures, certificates of deposits, acknowledgments, or evidences of indebtedness, policies of insurance, and certificates of stock or shares in corporations, associations and joint stock companies: providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Bill read first time, and referred to Committee on Judiciary.

Mr. Bliss was granted unanimous consent to introduce a bill out of order.

By Mr. Bliss: Assembly Bill No. 66—An Act appropriating eleven hundred and thirty-seven dollars and fifty cents (\$1137.50) to enable the "State Dairy Bureau of California" to restore certain property damaged and destroyed, which said property is necessary for the maintenance of the State Dairy Bureau of California.

Bill read first time, and referred to Committee on Ways and Means.

REPORT OF STANDING COMMITTEES—(OUT OF ORDER).

ON INSURANCE AND INSURANCE LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Committee on Insurance and Insurance Laws, to whom was referred Assembly Bill No. 43—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies—have had the same under consideration, and respectfully report the same back, and recommend that the author withdraw the same, it being identical with Assembly Bill No. 1.

BATES, Chairman.

BILL WITHDRAWN.

Mr. McGowan, for the San Francisco Delegation, requested and was granted leave to withdraw Assembly Bill No. 43.

Assembly Bill No. 43 was ordered withdrawn.

THIRD-READING FILE.

Bills on the third-reading file were taken up and acted on as follows:

Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of public records or documents lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Manwell, McCartney, McGowan, McKenney, Meincke, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 11 was ordered transmitted to the Senate.

NOTICE OF RECONSIDERATION.

Mr. Beckett gave notice that on the next legislative day he would move to reconsider the vote whereby the resolution of Mr. Jones of San Francisco, relating to allowing each member \$25 from the Assembly Contingent Fund, was lost.

THIRD-READING FILE—(RESUMED).

Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—64.

NOES—None.

Title read and approved.

Assembly Bill No. 12 was ordered transmitted to the Senate.

Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Boyle, Branstetter, Burge, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—57.

NOES—None.

Title read and approved.

Assembly Bill No. 29 was ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were submitted and read, as follows:

ON REVENUE AND TAXATION.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Committee on Revenue and Taxation, to whom was referred Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Also: Assembly Bill No. 26—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—have had the same under consideration and respectfully report the same back and recommend that same be adopted.

Also: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years—have had the same under consideration, and respectfully report the same back and recommend that same be not adopted.

JONES, Acting Chairman.

Assembly Bills Nos. 34 and 26 were ordered on the second-reading file.

Assembly Constitutional Amendment No. 3 was referred to the Committee on Judiciary.

Assembly Constitutional Amendment No. 1 was referred to the Committee on Judiciary.

The Committee on Contingent Expenses and Accounts submitted the following report, which was read:

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolution by Mr. Coghlan:

Resolved, That by reason of the services rendered the Assembly by Charles A. Thompson and Thomas G. Walker, assistant clerks at the desk, in the preliminary work prior to and in the organization of the Assembly, at the request of the Chief Clerk, the Controller is hereby directed to draw his warrant in favor of said Charles A. Thompson and Thomas G. Walker for \$50 each, for services and money expended, and the State Treasurer is ordered to pay said warrant out of the appropriation of the contingent expenses.

Have had the same under consideration, and respectfully report the same back and recommend that it be not adopted, the same not being authorized by law.

CROMWELL, Chairman

On motion of Mr. Cromwell, the report of the committee was adopted.

ADJOURNMENT.

Mr. McCartney moved that the Assembly do now adjourn until tomorrow (Wednesday) morning at ten o'clock.

Motion carried.

At three o'clock and twenty-four minutes P. M., Hon. Thos. E. Atkinson, the Acting Speaker, declared the Assembly adjourned until Wednesday, June 6, 1906, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
 Wednesday, June 6, 1906. }

The Assembly met, pursuant to adjournment, this Wednesday, June 6, 1906, at ten o'clock A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names :

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Espey, Gates, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Strobbridge, Strohl, Thompson, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker 67.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Estudillo, Walsh, and Burke.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reager.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 5, 1906, on motion of Mr. John, the further reading was dispensed with.

The Journal of Monday, June 4, 1906, was corrected, and as corrected approved.

RESOLUTION OF SYMPATHY.

Mr. McKenney requested and was granted permission to introduce (out of order) the following resolution, which was read:

WHEREAS, Hon. Miguel Estudillo, member of this body representing the Seventy-eighth District, was called to his home, on account of the serious illness of his son; and

WHEREAS, His child passed away before the father arrived at his bedside; therefore, be it
Resolved, That this Assembly extend to Hon. Miguel Estudillo its sincere and heartfelt sympathy, in this his hour of deep distress.

The resolution, on being put to vote, was declared adopted.

RESOLUTION ORDERED TRANSMITTED.

On motion of Mr. McKenney, it was ordered that the resolution, signed by the Acting Speaker and the Chief Clerk, be immediately telegraphed to Hon. M. Estudillo.

REPORTS OF STANDING COMMITTEES.

The following reports of standing committees were submitted and read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

Also: Assembly Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Also: Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

Have had the same under consideration, and respectfully report the same back with amendments, and recommend that they do pass as amended.

SLAVEN, Chairman.

Assembly Bills Nos. 23, 32, and 25 were ordered on the second-reading file.

ON INSURANCE AND INSURANCE LAWS.

ASSEMBLY CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: Your Committee on Insurance and Insurance Laws, to whom was referred Assembly Bill No. 44—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Assembly Bill No. 46—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they be referred to the Committee on Ways and Means.

BATES, Chairman.

Assembly Bills Nos. 44 and 46 were ordered referred to the Committee on Ways and Means, and on the second-reading file.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof, by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens—report the same back, with the recommendation that it do pass, by a majority vote.

Also: Assembly Bill No. 17—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Constitutional Amendment No. 4—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness—report the same back with two amendments, and recommend that it do pass as amended.

Also: Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof—and report the same back with twelve amendments, and recommend that it do pass as amended.

DURYEA, Chairman.

Assembly Constitutional Amendments Nos. 3 and 4 were ordered on file.

Assembly Bill No. 17 was ordered on the second-reading file.

Senate Bill No. 5 was ordered on the second-reading file.

GOVERNOR'S MESSAGE.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, June 5, 1906.

To the Assembly of the State of California :

I have the honor to inform your honorable body that I have approved Assembly Bill No. 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

GEO. C. PARDEE,
Governor of the State of California.

VOTE RECONSIDERED.

Mr. Beckett called up his notice of reconsideration, whereby the following resolution by Mr. Jones of San Francisco, introduced June 2, 1906, was defeated:

Resolved, That each member of the Assembly be and he is hereby allowed twenty-five dollars (\$25) for contingent expenses, as provided by law, payable out of the appropriation for the contingent expenses of the Assembly; and that the aggregate amount of the value of the stamps and stationery which any member shall draw on requisition from the Secretary of State shall be charged to his account as a part of his allowance hereby made.

The question being, "Shall the Assembly reconsider the vote whereby the resolution of Mr. Jones of San Francisco was defeated?"

The roll was called, and the vote declared reconsidered by the following vote:

AYES—Messrs. Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Coghlan, Cooper, Coyle, Creighton, Cullen, Dorsey, Ellis, Espey, Gans, Gates, Goodrich, Hartman, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McGowan, McNamara, Meincke, Mindham, Mitcheltree, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Severance, Slaven, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—53.

NOES—Messrs. Cromwell, Devlin, Drew, Duryea, Hawkins, Houser, McCartney, McKenney, Moore, Olmsted, Rolley, and Thompson—12.

RESOLUTION ADOPTED.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Busick, Coghlan, Creighton, Cullen, Dorsey, Ellis, Espey, Gans, Gates, Hartman, Held, Jarvis, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Severance, Slaven, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—52.

NOES—Messrs. Chandler, Cleveland, Cooper, Cromwell, Devlin, Drew, Duryea, Goodrich, Hawkins, Houser, McCartney, Moore, Olmsted, Rolley, and Thompson—15.

PRIVILEGES OF THE FLOOR.

On motion of Mr. Houser, the privileges of the floor were extended to Hon. E. W. Camp, a former member of the Assembly from Los Angeles County.

SECOND-READING FILE.

The second-reading file was taken up, and bills acted on as follows:

Assembly Bill No. 56—An Act amending subdivision eleventh of

Section 1670 of the Political Code, relating to the powers of the boards of education or boards of school trustees in issuing bonds.

Passed on file.

Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Bill read second time.

Assembly Bill No. 34 ordered to engrossment and on third-reading file.

Assembly Bill No. 26—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read second time.

Assembly Bill No. 26 ordered to engrossment and on third-reading file.

APPROPRIATION FOR ARMY BUILDING AT FORT MASON, CAL.

Hon. Thos. E. Atkinson, the Acting Speaker, read the following telegram, which was greeted with applause by the members:

WASHINGTON, D. C., June 5, 1906.

HON. T. E. ATKINSON, *Chairman San Francisco Delegation, Assembly, Sacramento, Cal.*

We are pleased to inform the San Francisco Delegation that the conference report which appropriates one million five hundred thousand dollars for army buildings at Fort Mason has been agreed to and it now goes to the President for his signature.

E. A. HAYES.
JULIUS KAHN.

SENATE MESSAGES.

On motion of Mr. Treadwell, Senate messages were called up.
The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, June 5, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Assembly Joint Resolution No. 1—Relative to bill pending in the House of Representatives of the United States, relating to five per cent of proceeds of sale of public lands.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Assembly Joint Resolution No. 1 was ordered to print and to engrossment.

RECESS.

At eleven o'clock A. M., there being no objection, Hon. Thos. E. Atkinson, the Acting Speaker, declared a recess of the Assembly for ten minutes.

RECONVENED.

The Assembly reconvened at eleven o'clock and ten minutes A. M.
Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 6, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 10—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

DEVLIN, Chairman.

RECESS.

At eleven o'clock and twenty-one minutes A. M., on motion of Mr. McCartney, the Acting Speaker, Hon. Thos. E. Atkinson, declared a recess of the Assembly until two o'clock and thirty minutes P. M. this day.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock and thirty minutes P. M. Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REQUEST FOR PERMISSION TO INTRODUCE BILLS OUT OF ORDER.

Mr. McCartney requested permission to introduce a bill out of order, as follows:

MR. SPEAKER: I move the House for leave to introduce Assembly Bill No. —, entitled "An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 751a, relating to evidence in actions, proceedings or applications to determine, establish, register or quiet title to real estate in this State, where it shall appear that any of the original instruments supporting such title are not within the power of the parties to produce and the original record of such title, or any portion thereof, has been lost, injured or destroyed.

McCartney.

Referred to Committee on Introduction of Bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Corporations was granted leave to submit (out of order) the following report, which was read:

ON CORPORATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 6, 1906.

MR. SPEAKER: Your Committee on Corporations, to whom was referred Assembly Bill No. 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations—have had the same under consideration, and respectfully report the same back, and recommend that it do pass.

McCartney, Chairman pro tem.

On motion of Mr. McCartney, Assembly Bill No. 41 was referred to the Committee on Judiciary and ordered on second-reading file.

THIRD-READING FILE.

Bills on the third-reading file were taken up and acted on as follows:

Assembly Bill No. 10—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Passed on file.

Assembly Bill No. 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Passed on file.

Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Bliss, Bransteiter, Burge, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cronwell, Cullen, Devlin, Drew, Duryea, Espey, Gans, Gates, Hartman, Hawkins, Held, Jarvis, Johnson, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNainara, Meincke, Mindham, Mitchellree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Transuc, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—Mr. Houser—1.

Title read and approved.

Assembly Bill No. 27 was ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS—(OUT OF ORDER).

Permission was requested to introduce bills (out of order), as follows:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I desire to introduce Assembly Bill No. —, entitled "An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California."

BATES

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I desire to introduce Assembly Bill No. —, entitled "An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto."

BLISS, Chairman of Committee on Universities.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I hereby request permission to introduce the following bills:

Assembly Bill No. —, entitled "An Act to provide for the selection, location, acquisition, and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California, maintaining headquarters in said City of San Francisco, and making an appropriation therefor."

Assembly Bill No. —, entitled "An Act to amend an Act entitled an Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March seventeenth, eighteen hundred and ninety-nine, approved March 20, 1905."

Assembly Bill No. —, entitled "An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the State Board of Harbor Commissioners."

Assembly Bill No. —, entitled "An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor."

McGOWAN.

The bills introduced by Mr. McGowan were referred to the Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 6, 1906.

MR. SPEAKER: I respectfully request permission to introduce the following proposed Assembly Bill No. —, entitled "An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District."

TREADWELL.

Referred to Committee on Introduction of Bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 6, 1906.

MR. SPEAKER: I desire to introduce Assembly Bill No. —, entitled "An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer."

AMERIGE.

Referred to Committee on Introduction of Bills.

PETITION RELATIVE TO CONSTITUTIONAL AMENDMENT NO. 2.

Mr. Treadwell sent to the desk the following petition, and requested that the same be read.

The Clerk read as follows:

To the Honorable the Senate and Assembly of the State of California:

GENTLEMEN: The undersigned, the Executive Committee of the "Mission Promotion Association," a body of citizens and taxpayers of the Mission District within the City and County of San Francisco, most respectfully ask the Legislature of the State of California to oppose and defeat the proposed amendment to the State Constitution conferring on the Board of Supervisors of said city and county for the period of two years the rights and powers specified in Proposition Number Thirty-two, included in the Governor's call for an extraordinary session of the Legislature. Said Proposition Number Thirty-two was included in the Governor's call at the instance of the so-called "Committee of Forty," heretofore appointed by the Honorable E. E. Schmitz, Mayor of the said city and county, for the purpose of proposing certain measures for the reconstruction and improvement of San Francisco.

Prior to the issuance of said call, said committee prepared its report and submitted the same to the Board of Supervisors, and said board duly approved the same. Should said constitutional amendment be proposed by your honorable bodies and be ratified by the vote of the people of the State of California, the plan formulated by said "Committee of Forty" in its said report will be carried out.

We hereby specify the following reasons why said proposed amendment should be defeated, and why the alleged improvements provided for in the report of said "Committee of Forty" should not be made:

1. Said plan of alleged improvements provides for the creation, widening and extension of many streets and avenues, almost exclusively in the northeasterly portion of the peninsula, the expense of which will be sustained by the general body of taxpayers resident within the City and County of San Francisco. The land that will be benefited by said improvements is in the business section and is now the most valuable property in the city. Said plan, if carried out, will render said property more valuable at the expense of a great majority of citizens. The improvements, if such they can be termed, will add to the wealth of the rich at the expense of the great body of small property holders living in the Western Addition, Richmond District, Sunset District, the Mission, Potrero, South San Francisco, and Ocean View, who will receive no benefit whatever from said improvements.

2. The report of said "Committee of Forty" contains no estimate whatever of the cost, approximate or otherwise, of the contemplated improvements; but we aver that the actual cost of said improvements to the general body of taxpayers will amount to tens of millions of dollars.

3. Any attempt to carry out the plan as recommended by said "Committee of Forty" will unsettle for many years to come the titles to lands to be affected by said improvements; will result in long and expensive litigation, and will materially retard building operations in San Francisco.

4. The charter of San Francisco now in force provides ample means and methods for the improvement of the city, for the creation, widening and extension of its streets and avenues.

5. Before considering any proposition for bonding the city for the fabulous amount of money required to carry out the contemplated improvements, the city should be bonded for an amount sufficient to furnish it with an adequate supply of water for the use of its inhabitants; for the construction of cisterns and reservoirs, for the storage of water—fresh and salt—necessary for the extinguishment of fires, flushing of sewers, sprinkling of streets and other purposes.

Equal in importance with the water supply is the reconstruction of public buildings, including a city hall, courthouse, hall of records, fire engine houses, jails, police

stations, and principally our public schools—high, grammar, and primary—most of which were destroyed in the recent calamity. For this purpose alone many millions of dollars will be necessary.

To the recent disaster there should not be added the infliction upon our city of an enormous debt for the sole purpose of improving or beautifying a small portion of its territory for the benefit of a few, when other absolutely necessary improvements will in themselves involve an expense to our citizens which will require generations to liquidate.

(Signed:) Matt I. Sullivan, James Rolph Jr., Geo. Center, Nicholas Talmage, D. O. Crowley, A. B. Maguire

On motion of Mr. McCartney, the petition was ordered printed in the Journal.

THIRD-READING FILE—(RESUMED).

Bills on the third-reading file were called up and acted on as follows:

Assembly Bill No. 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Passed on file.

Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

Passed on file.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José, without ratification by the Legislature.

Passed on file.

Assembly Bill No. 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or banking institution.

Passed on file.

Assembly Bill No. 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

Passed on file.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Assembly Constitutional Amendment No. 3 was read.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members voting in favor thereof, hereby propose that article thirteen of the Constitution of the State of California be amended by repealing section five thereof.

Article thirteen of the Constitution of the State of California is hereby amended by striking therefrom and repealing section five thereof.

The question being on the adoption of the amendment.

The roll was called, and the amendment was declared adopted by the following vote:

AYES—Messrs. Amerige, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Busick, Chandler, Cooper, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Gans, Gates, Hartman, Hawkins, Held, Jarvis, Johnson, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfadt, Pryor, Pyle, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—Messrs. Anthony, Cleveland, Coyle, Houser, King, Rolley, and Strobridge—7.

Assembly Constitutional Amendment No. 3 was ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

Passed on file.

ADJOURNMENT.

Mr. Cullen moved that the Assembly do now adjourn until to-morrow, Thursday, June 7, 1906, at ten o'clock and thirty minutes A. M.

Motion carried.

At three o'clock and thirty-four minutes P. M. Hon. Thos. E. Atkinson, Acting Speaker, in the chair, declared the Assembly adjourned until to-morrow, Thursday, June 7, 1906, at ten o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Thursday, June 7, 1906. }

The Assembly met, pursuant to adjournment, this Thursday, June 7, 1906, at ten o'clock and thirty minutes A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton.

Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Espey, Gans, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lynch, Manwell, McCartney, McGowan, McNamara, Meincke, Mindham, Mitchellrec, Moore, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—64.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Houser, Estudillo, and Burke.

Leaves of absence for the morning session were granted to Messrs. Goodrich, Wickersham, Duryea, and O'Brien.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 6, 1906, on motion of Mr. King, the further reading was dispensed with.

The Journal of Tuesday, June 5, 1906, was corrected, and as corrected approved.

TELEGRAM RELATING TO CONSTITUTIONAL AMENDMENT NO. 2.

Hon. Thos. E. Atkinson, Acting Speaker, presented the following telegram, which was read:

SAN FRANCISCO, CAL., June 6, 1906.

Speaker of the Assembly, Sacramento, Cal.:

The undersigned, representatives of the Downtown Property Owners' Association, desire to protest against the suspension of the charter of the City of San Francisco for two years. It has been publicly stated that this bill is in the interest of the manufacturing, commercial, mercantile, and property classes of this city. To our certain knowledge we are positive the measure in question has excited general condemnation. The property classes of this city are opposed to any contemplated changes in the avenues and streets of the business district. It will prevent the quick rebuilding of this city and the rehabilitation of San Francisco's commercial supremacy. This Act ties our hands in every direction and all commercial and manufacturing enterprises. Above all, we protest against the Senate and Assembly surrendering their just rights in the supervision of legislation for the City and County of San Francisco. This supervision in normal times has been wise, and now in this crisis we see no reason why our State representatives should not continue to take the same interest in our city, whose water front the State owns and controls. We therefore respectfully request that the Act for the suspension of the San Francisco charter be not passed.

(Signed:) John F. Boyd, chairman committee; Parrott & Co., Davis Estate Company, John M. Curtis, R. F. Morrow, Walter E. Dean, Frank W. Marston, Samuel Knight, George D. Toy, The Johnson-Locke Mercantile Co., Frank S. Johnson, J. M. Rothchild, Boyd Estate Co., Schroth Estate Company, Starr Estate, Adams Estate, A. A. Moore Jr., Matt I. Sullivan.

On motion of Mr. McCartney, the petition was ordered printed in the Journal.

PETITION RELATIVE TO MEASURES AFFECTING SAN FRANCISCO.

Hon. Thos. E. Atkinson, Acting Speaker, handed to the Clerk the following petition, which was read:

MARKET STREET AND EUREKA VALLEY IMPROVEMENT CLUB.

WHEREAS, The Committee of Forty, appointed by Mayor Schmitz, of San Francisco on rebuilding the city laying out the streets, etc., have recommended to the Legislature, now in special session, the passage of laws contravening the charter of San Francisco, by changing or abolishing certain sections thereof, and abolishing the law providing for the taxation of mortgages; and

WHEREAS, We believe such recommendations are ill-advised and dangerous to the best interests of the people; be it, therefore,

Resolved, by the Market Street and Eureka Valley Improvement Club, That we request and respectfully urge the Honorable Senators and Assemblymen now sitting in special session to ignore such recommendations.

The above preamble and resolutions were unanimously adopted at the regular meeting of the club held June 4, 1906, and a committee appointed to prepare and forward the same.

W. A. C. SMITH,
W. E. DUBOIS,
E. B. CARR,
Committee.

R. C. CLARK, President.
C. BURGESS, Secretary.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

Permission was granted to Mr. Bates to present a bill out of order. The following request for permission to introduce a bill (out of order) was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I request permission to introduce Assembly Bill No. —, entitled "An Act appropriating \$2,500 for restoring certain records and refitting and refurbishing the office of the Clerk of the Supreme Court in the City of San Francisco."

R. H. E. ESPEY.

Referred to Committee on Introduction of Bills.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were submitted and read, as follows:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 26—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Also: Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and provision for settling the affairs of corporations where said tax has not been paid.

DEVLIN, Chairman.

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Bill No. 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 21—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court—report the same back, and recommend that it be referred to Committee on Ways and Means.

Also: Assembly Bill No. 37—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein—report the same back with four amendments, and recommend that it do pass as amended.

Also: Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity—report the same back with five amendments, and recommend that it do pass as amended.

DURYEA, Chairman.

Assembly Bills Nos. 41, 21, 37, and 38 were ordered on the second-reading file.

Assembly Bill No. 15 was ordered referred to the Committee on Ways and Means.

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 61—An Act making an appropriation for the purchase of law-books for the Attorney-General.

Also: Assembly Bill No. 62—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Also: Assembly Bill No. 16—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Also: Assembly Bill No. 44—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Assembly Bill No. 46—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

Also: Assembly Bill No. 50—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 51—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 64—An Act appropriating forty-five hundred (\$4,500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 52—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 57—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 49—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

Also: Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation and other expenses of the National Guard of California called into service by order of the Governor in the months of April, May, and June, 1906—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

STANTON, Chairman.

Assembly Bills Nos. 61, 62, 16, 44, 46, 50, 51, 60, 64, 52, 57, 49, and 59 were ordered on the second-reading file.

REPORT BY STANDING COMMITTEE ON INTRODUCTION OF BILLS.

The Committee on Introduction of Bills submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 4, 1906.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred Assembly bills returned herewith, have had the same under consideration, and respectfully report the same back, and recommend that the authors be allowed to introduce same.

TREADWELL, Acting Chairman.

INTRODUCTION OF BILLS.

In accordance with the above report, bills were introduced as follows:

By Mr. Bates: Assembly Bill No. 67—An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McCartney: Assembly Bill No. 68—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 751a, relating to evidence in actions, proceedings or applications to determine, establish, register or quiet title to real estate in this State, where it shall appear that any of the original instruments supporting such title are not within the power of the parties to produce and the original record of such title, or any portion thereof, has been lost, injured or destroyed.

Bill read first time, and referred to Committee on Judiciary.

By Mr. Treadwell: Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. McGowan: Assembly Bill No. 70—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 71—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read first time, and referred to Committee on Ways and Means.

Also: Assembly Bill No. 72—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Bill read first time, and referred to Committee on Ways and Means.

By the San Francisco Delegation: Assembly Bill No. 73—An Act to provide for the selection, location, acquisition, and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment, and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Bliss: Assembly Bill No. 74—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Amerige: Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read first time, and referred to Committee on Ways and Means.

By Mr. Espey: Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Bill read first time, and referred to Committee on Ways and Means.

SENATE MESSAGES.

Messages from the Senate were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Committee Substitute for Senate Bill No. 64—An Act to provide for the establishing and quieting of title to real property in case of the loss or destruction of public records.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Committee Substitute for Senate Bill No. 64 was read the first time.

ASSEMBLY BILL WITHDRAWN AND SENATE BILL SUBSTITUTED.

On motion of Mr. Treadwell, he was granted leave to withdraw Assembly Bill No. 10, it being identical with Senate Bill No. 64.

Committee Substitute for Senate Bill No. 64 was ordered to second reading on the Senate special file, without reference to a committee.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Also: Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

LEWIS A. HILBORN, Secretary of Senate.

By D. J. SHIELDS, Assistant Secretary.

Senate Bills Nos. 32 and 48 were read the first time and referred to Committee on Education.

Also:

SENATE CHAMBER, SACRAMENTO, June 6, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

LEWIS A. HILBORN, Secretary of Senate.

By D. J. SHIELDS, Assistant Secretary.

Senate Bill No. 35 was read the first time, referred to Committee on Judiciary, and ordered to second reading on special file of Senate bills.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Also: Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school censuses.

Also: Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Also (as a case of urgency): Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 37 was read first time, referred to Committee on Judiciary, and ordered to second reading on the special file of Senate bills.

Senate Bill No. 47 was read first time, referred to Committee on Education, and ordered to second reading on the special file of Senate bills.

Committee Substitute for Senate Bill No. 8 and Senate Bill No. 46 were read first time, referred to Committee on Ways and Means, and ordered to second reading on the special file of Senate bills.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following:

Committee Substitute for Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Also: Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Also: Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Churry, Secretary of State, San Francisco No. 4422.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Senate Bills Nos. 6, 7, 67, and 13 were read first time, referred to Committee on Ways and Means, and ordered to second reading on the special file of Senate bills.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following, as cases of urgency:

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Also: Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.

Also: Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Senate Bills Nos. 62, 43, and 74 were read first time, referred to Committee on Ways and Means, and ordered to second reading on the special file of Senate bills.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Senate Bill No. 74 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with.

and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beckett, Bliss, Boyle, Burge, Busick, Chandler, Cleveland, Cooper, Creighton, Cromwell, Cullen, Devlin, Drew, Ellis, Espey, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Trolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltrec, Moore, Olmsted, Perkins, Pryor, Pyle, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Trendwell, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—40.

NOES—None.

SENATE BILL TAKEN UP.

Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read first time.

Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 74.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 74 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year—and do now report back, and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 74—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Cooper, Creighton, Cullen, Devlin, Drew, Ellis, Espey, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John,

Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pryor, Pyle, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—58.
NOES—None.

Title read and approved.

Senate Bill No. 74 was ordered transmitted to the Senate.

RESOLUTION (OUT OF ORDER) CLOSING CONTINGENT EXPENSE ACCOUNT.

By Mr. Creighton:

Resolved, That the Secretary of State is hereby directed to close the contingent expense accounts of the members of the Assembly and to forthwith transmit a statement of the same to the State Controller; and the State Controller is hereby directed to draw his warrant in favor of each member of the Assembly for the amount remaining to his credit in his account, and the State Treasurer is hereby directed to pay such warrants.

On motion of Mr. Creighton, the resolution was adopted.

PETITION—(OUT OF ORDER).

The following communication was read:

MR. SPEAKER: I hereby present the petition of George D. Collins, *in re* impeachment of Hon. Albert G. Burnett, Judge of the Superior Court of Sonoma County, sent to the Speaker of this body.

In making this presentation I do so because I regard the right of petition inviolate, and not because I consider the subject of the petition worthy of serious consideration by this body.

McGOWAN.

Mr. Cromwell moved that action on the petition be indefinitely postponed.

On being put to vote, the motion was unanimously carried.

RESOLUTION RELATIVE TO THE CESSION OF YERBA BUENA ISLAND TO THE STATE OF CALIFORNIA.

Mr. Atkinson (in the chair) requested, and was granted, leave to introduce (out of order) the following concurrent resolution, which was read:

ASSEMBLY CONCURRENT RESOLUTION No. 3.

Relative to the cession of Yerba Buena Island to the State of California.

WHEREAS, The Port of San Francisco is the gateway to the Orient and it is desirable to have rapid transportation of commerce through the Golden Gate; and

WHEREAS, Yerba Buena Island, in the Bay of San Francisco, is now of limited use to the Federal Government, but might be made of vast commercial importance to the United States as a railroad terminal; now therefore be it

Resolved by the Assembly of the State of California, the Senate concurring, That the United States of America be and it is hereby requested to cede said Yerba Buena Island to the State of California for a railroad terminal, upon the express condition that all transcontinental, local, urban, and interurban railroads may have the right to use said Yerba Buena Island as a railroad terminal, under such regulations, restrictions and charges, as may be appointed and fixed by the State of California.

Resolved, That the Chief Clerk of the Assembly forthwith wire a copy of this resolution to the President of the United States and the President of the Senate and the Speaker of the House of Representatives of the Congress of the United States, and also engross the same and mail a copy thereof to the President and to the Congress of the United States.

Referred to Committee on Federal Relations.

REQUEST FOR PERMISSION TO INTRODUCE BILL—(OUT OF ORDER).

The following request for permission to introduce a bill (out of order) was read:

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 7, 1906.

MR. SPEAKER: I request permission to introduce a bill entitled "An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity."

BATES.

Referred to Committee on Introduction of Bills.

RESOLUTION (OUT OF ORDER) FOR PRINTING OF CHAPTERS.

By Mr. Stanton:

Resolved, That the Chief Clerk be directed to have 1500 copies each of all chapters printed for distribution.

Resolution adopted.

SPECIAL FILE OF SENATE BILLS.

The special file of Senate bills was taken up and acted on, as follows:

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, or hereafter obtained, by the Commissioner of Public Works under an Act of the Legislature approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way, of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

On page 2, Section 1, line 15, by inserting after the comma immediately following the word "America," the following: "all its right, title and interest to."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

On page 2, Section 1, line 16, by striking out the words "or by" at the end of said line and inserting in lieu thereof a comma.

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

On page 2, Section 1, line 17, by inserting after the word "condemnation," the following: "or otherwise."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

On page 2, Section 2, line 5, by inserting after the word "directed," the following: "on behalf of the State of California."

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

On page 3, Section 3, line 33, by striking out the semicolon after the word "grant," and inserting in lieu thereof a comma.

Amendment adopted.

COMMITTEE AMENDMENT No. 6.

On page 3, Section 3, line 38, by striking out the semicolon after the word "grant," and inserting in lieu thereof a comma.

Amendment adopted.

COMMITTEE AMENDMENT No. 7.

On page 5, Section 3, line 103, by striking out after the word "channel," the word "and," and inserting in lieu thereof the following: "which is."

Amendment adopted.

COMMITTEE AMENDMENT No. 8.

On page 6, Section 3, line 117, by striking out after the word "feet," the semicolon.

Amendment adopted.

COMMITTEE AMENDMENT No. 9.

On page 6, Section 3, line 128½, by striking out after the word "feet," the semicolon.

Amendment adopted.

COMMITTEE AMENDMENT No. 10.

On page 6, Section 3, line 140, by striking out the figures "614½," and inserting in lieu thereof the following: "614.5."

Amendment adopted.

COMMITTEE AMENDMENT No. 11.

On page 6, Section 3, line 145, by striking out the figures "857½" and inserting in lieu thereof the following: "857.5."

Amendment adopted.

COMMITTEE AMENDMENT No. 12.

On page 7, Section 4, line 6, by inserting after the word "directed," the following: "on behalf of the State of California."

Amendment adopted.

Senate Bill No. 5 was ordered to print, and to third reading on special file of Senate bills.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following Constitutional Amendment correctly engrossed:

Assembly Constitutional Amendment No. 5, as amended in Assembly June 4, 1906.

DEVLIN, Chairman.

SECOND-READING ASSEMBLY FILE.

The second-reading Assembly file was taken up and bills acted on as follows:

Assembly Bill No. 56—An Act amending subdivision eleventh of Section 1670 of the Political Code, relating to the powers of the boards of education or boards of school trustees in issuing bonds.

Passed on file.

Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools, and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

Bill read second time.

The Committee on Education submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

Amend the title to read as follows: "An Act to amend an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend Section 1, line 40, by adding after the word "any" the words "school or."

Amendment adopted.

Assembly Bill No. 23 was ordered to print, engrossment, and on third-reading file.

Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read second time.

The Committee on Education submitted the following amendment, which was read:

Amend by striking out all words after the word "whenever" on line 4, first page, printed bill, and inserting in lieu thereof the following: "satisfactory proof is presented to a county or city and county board of education by a teacher to whom such board has heretofore granted a certificate, in accordance with law, that such certificate has been destroyed by conflagration or other public calamity, such board shall, without fee, issue to such teacher, in lieu of the certificate lost or destroyed a new certificate of the same kind, grade, character and tenure of the certificate originally granted. Such proof shall consist of an affidavit by said teacher, giving the grade of such certificate, the date of issue if possible, and upon what it was issued; accompanied by a statement from the county or city and county school superintendent to the effect that such teacher had, in pursuance of the requirements of Section 1696 of the Political Code, filed his certificate for record with such official. Said proof of loss or destruction of a certificate shall be a credential upon which a county or city and county school superintendent may issue a temporary certificate, in accordance with the provisions of Sub. 7th of Section 1543 of the Political Code.

"SEC. 2. This Act shall take effect immediately."

Amendment adopted.

Assembly Bill No. 25 was ordered to print, engrossment, and on third-reading file.

Assembly Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read second time.

The Committee on Education submitted the following amendment, which was read:

On line 130, fourth page, printed bill, after the word "any," insert the following: "claims, demands, causes of action."

Amendment adopted.

Assembly Bill No. 32 was ordered to print, engrossment, and on third-reading file.

Assembly Bill No. 17—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read second time.

The Committee on Judiciary submitted the following amendment, which was read:

AMENDMENT No. 1.

Amend Assembly Bill No. 17 by inserting, at the end of line 77, page 3 of the printed bill, a semicolon in place of the period, and the following: "*provided*, that such right of eminent domain in regard to property mentioned in this subdivision shall only be exercised by counties, or cities and counties, within this State."

Amendment adopted.

Mr. Thompson offered the following amendment, which was read:

AMENDMENT No. 2.

Amend by striking out the period at the end of Amendment No. 1 to subdivision 15 of the printed bill, and inserting in lieu thereof a comma, and the following: "*and provided*, further, that such right shall only be exercised in cases where the public records or some material part thereof have been lost or destroyed by conflagration or other public calamity."

Amendment adopted.

Assembly Bill No. 17 was ordered to print, engrossment, and on third-reading file.

Assembly Bill No. 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read second time.

The Committee on Judiciary submitted the following amendment, which was read:

Amend by adding at the end of line 56, page 2 thereof, the following: "any shares or certificates of stock, the ownership of which cannot be ascertained, shall by the court be adjudged to unknown owners; and in all further proceedings of said corporation, including meetings, elections, and assessments, such shares or certificates of stock shall be so designated without giving the names of the owners or the number of the certificates. Any such owner may thereafter establish his ownership to any of said shares and have new certificates issued to him."

Amendment adopted.

Assembly Bill No. 41 was ordered to print, engrossment, and on third-reading file.

RECESS.

At twelve o'clock noon, on motion of Mr. McCartney, Hon. Thos. E. Atkinson, Acting Speaker, declared a recess of the Assembly until two o'clock p. m.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock p. m.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Introduction of Bills submitted (out of order) the following report, which was read:

ON INTRODUCTION OF BILLS.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred an Assembly bill, returned herewith, have had the same under consideration, and respectfully report the same back, and recommend that the author be permitted to introduce same.

TREADWELL, Acting Chairman.

INTRODUCTION OF BILL.

The following bill was introduced in accordance with the above report:

By Mr. Bates: Assembly Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Bill read first time, and referred to Committee on Judiciary.

ADJOURNMENT.

At two o'clock and twenty minutes P. M., there being no objection, Hon. Thos. E. Atkinson, Acting Speaker, declared the Assembly adjourned until to-morrow (Friday), June 8, 1906, at ten o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,
Friday, June 8, 1906.

The Assembly met, pursuant to adjournment, this Friday, June 8, 1906, at ten o'clock and thirty minutes A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Arnrich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorscy, Duryea, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—63.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Espey, Estudillo, O'Brien, King, Drew, and Ells.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 7, 1906, on motion of Mr. Weyand, the further reading was dispensed with.

The Journal of Wednesday, June 6, 1906, was corrected, and as corrected approved.

REPORTS BY STANDING COMMITTEES.

Reports by standing committees were submitted and read, as follows:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed: Assembly Bill No. 17—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Assembly Bill No. 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

Assembly Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

DEVLIN, Chairman.

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Assembly Bill No. 58—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing a substitute for the count of average daily attendance in certain high schools and school districts—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

Also: Assembly Bill No. 22—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity—have had the same under consideration, and respectfully report the same back, with recommendation that the author be permitted to withdraw said bill.

SLAVEN, Chairman.

BILL WITHDRAWN.

Mr. McGowan requested, and was granted, leave to withdraw Assembly Bill No. 22.

BILL TAKEN UP.

On motion of Mr. McGowan, Assembly Bill No. 58 was called up for consideration.

Assembly Bill No. 58—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing a substitute for the count of average daily attendance in certain high schools and school districts.

Bill read second time.

The Committee on Education submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

Amend Assembly Bill No. 58 by inserting after word "calamity," on line 18, page 2 thereof, the words "or whereof, by reason of such conflagration or calamity the regular session or attendance of such district or high school has been interrupted and its average attendance materially affected thereby."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend on page 2 of the printed bill, line 25, by striking therefrom the word "three" and inserting in lieu thereof the word "five."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend the printed bill on page 2, line 26, by striking therefrom the figure "3" where it occurs in parentheses on such line and inserting in lieu thereof the figure "5."

Amendment adopted.

Assembly Bill No. 58 was ordered to print, engrossment, and on third-reading file.

REPORTS BY STANDING COMMITTEES—(RESUMED).
ON CONSTITUTIONAL AMENDMENTS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof—have had the same under consideration, and respectfully report the same back with twelve amendments, and recommend that the same be adopted as amended, by a majority of said committee.

HOUSER, Chairman.

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2 AMENDED.

On motion of Mr. Houser, Assembly Constitutional Amendment No. 2 was called up for the purpose of considering the amendments submitted by the committee.

The Committee on Constitutional Amendments submitted the following amendments to Assembly Constitutional Amendment No. 2, which were read:

COMMITTEE AMENDMENT No. 1.

Strike out of line 12, page 1, of the proposed amendment, the words "purchase, condemn, or accept donations of," and insert in lieu thereof the words "by purchase, condemnation or donation."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

In line 13, page 1, of the proposed amendment, strike out the word "and," and insert in lieu thereof the word "or."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

After the word "or," in line 13, page 1, of the proposed amendment, insert the words "may acquire, by purchase, condemnation or donation, lands."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

On page 1, line 14, of proposed amendment, strike out the words "such purposes," and insert in lieu thereof the words "streets, parks, boulevards, reservoirs or esplanades."

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

On page 2, line 16, of the proposed amendment, strike out the words "such purposes," and insert in lieu thereof the words "streets, parks, boulevards, reservoirs or esplanades."

Amendment adopted.

COMMITTEE AMENDMENT No. 6.

On page 2, line 17, of the proposed amendment, strike out the comma after the word "purposes," and insert in lieu thereof a semicolon.

Amendment adopted.

COMMITTEE AMENDMENT No. 7.

Strike out everything beginning with the word "and" in line 21, page 2, ending with the word "injury" in line 29, page 2, of the proposed amendment, and insert in lieu thereof the following: "and, where made necessary by the changing, widening, extension, or closing, in whole or in part of any such streets, may change the lines or routes of any pipe, pipe-lines, conduits, wires or railways heretofore constructed or laid under any privilege or franchise now held or enjoyed by any person, firm or corporation in or upon any of such streets, and may alter the terms of any privilege or franchise now or heretofore held or enjoyed by any person, firm or corporation, on any street so changed, widened, extended or closed, only to the extent of changing the lines or routes of any such pipe, pipe-lines, conduits, wires or railways."

Amendment adopted.

COMMITTEE AMENDMENT No. 8.

After the word "streets," in line 21, page 2, of the proposed amendment, strike out the comma, and insert a semicolon.

Amendment adopted.

COMMITTEE AMENDMENT No. 9.

After the word "owned," in line 29, page 2, of the proposed amendment, insert the words "or hereafter acquired."

Amendment adopted.

COMMITTEE AMENDMENT No. 10.

On page 2, line 35, of the proposed amendment, after the word "lands," insert the following words: "acquired by the said city and county after the date of the adoption by the Legislature of the resolution submitting this amendment to the people."

Amendment adopted.

COMMITTEE AMENDMENT No. 11.

On page 2, line 41, of the proposed amendment, after the word "any," insert the words "privilege or."

Amendment adopted.

COMMITTEE AMENDMENT No. 12.

Strike out all of the proposed amendment after the word "law," in line 46, page 2.

Amendment adopted.

MADE SPECIAL ORDER.

Mr. Houser moved that Assembly Constitutional Amendment No. 2 be sent to print with a rush order, and that the further consideration of the amendment be made a special order for to-morrow (Saturday) at two o'clock P. M.

So ordered.

REPORTS BY STANDING COMMITTEES—(RESUMED).

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Bill No. 63—An Act adding a new section to the Civil Code, to be known as Section 3415 providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity—report the same back with one amendment, and recommend that it do pass as amended.

Also: Assembly Bill No. 56—An Act amending subdivision eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds—report the same back with a substitute, and with the recommendation that the substitute be adopted.

Also: Assembly Bill No. 35—An Act to add a new section to the Code of Civil Procedure to be known as Section 1045a, relating to the restoration of court records which have been or shall hereafter be lost or destroyed or injured by conflagration or other public calamity.

Also: Assembly Bill No. 36—An Act to amend the Code of Civil Procedure by adding four new sections thereto, to be known as Sections 1045a, 1045b, 1045c, and 1045d, relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Report said Assembly Bill No. 35 and Assembly Bill No. 36 back with a substitute, and with the recommendation that the substitute for said bills be adopted.

Also: Assembly Bill No. 13—An Act providing for the disposition of actions and proceedings in which the record of the proceedings upon the trial thereof has been lost or destroyed—report the same back with four amendments, and with the recommendation that it do pass as amended.

Also: Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure to be known as Section 901a, relating to executions issuing out of justices' courts—report the same back with the recommendation that it do pass.

Also: Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachments in justices' courts—report the same back with the recommendation that it do not pass.

DURYEA, Chairman.

BILLS TAKEN UP.

On motion of Mr. Duryea, it was ordered that the bills just reported back by the Committee on Judiciary be taken up for consideration.

Assembly Bill No. 63—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Bill read second time.

The Committee on Judiciary submitted the following amendment, which was read:

In line 5, strike out "lost or destroyed" and insert in lieu thereof the words "lost, destroyed, or damaged."

Amendment adopted.

Assembly Bill No. 63 ordered to print, engrossment, and on third-reading file.

INTRODUCTION OF BILLS—(OUT OF ORDER).

The following bills were introduced:

By Committee on Judiciary: Assembly Bill No. 78 (substitute for Assembly Bill No. 56)—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Bill read first time.

Assembly Bill No. 78 (substitute for Assembly Bill No. 56) was ordered to print and on second-reading file.

Also: Assembly Bill No. 79 (Committee Substitute for Assembly Bills Nos. 35 and 36)—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Bill read first time.

Assembly Bill No. 79 (substitute for Assembly Bills Nos. 35 and 36) was ordered to print and on second-reading file.

SECOND READING OF BILLS.

Assembly Bill No. 13—An Act providing for the disposition of actions and proceedings in which the record of the proceedings upon the trial thereof have been lost or destroyed.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

Strike out the period after the word "destroyed" in the last line of the title of the printed bill, and insert a comma and the following: "by conflagration or other public calamity."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

In line 3, page 1 of the printed bill, strike out "without the fault of the parties thereto," and insert in lieu thereof the words "by conflagration or other public calamity."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

On line 10, page 1, after the word "proceedings" insert the following: "and to settle a bill of exceptions or statement of the case containing such proceedings."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

At the end of Section 2, page 2 of the printed bill, insert the following: "The motion provided for by this Act must be made within thirty days after the loss or destruction of such records; *provided*, that in any case now pending such motion may be made at any time within sixty days after the passage of this Act."

Amendment adopted.

Assembly Bill No. 13 was ordered to print, engrossment, and on third-reading file.

FIRST READING OF BILLS.

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read first time.

Senate Bill No. 35 was ordered to second reading on the special file of Senate bills.

Senate Bill No. 37—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read first time.

Senate Bill No. 37 was ordered to second reading on the special file of Senate bills.

BILL WITHDRAWN.

Assembly Bill No. 56 was, on motion of Mr. Jury, the author, withdrawn, and Assembly Bill No. 78 was substituted therefor.

REPORTS BY STANDING COMMITTEES—(RESUMED).

The Committee on Ways and Means submitted the following report, which was read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment and recommend that the same do pass as amended.

STANTON, Chairman.

BILL TAKEN UP.

On motion of Mr. Stanton, Senate Bill No. 62 was taken up for consideration.

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital and making an appropriation therefor.

Bill read second time.

COMMITTEE AMENDMENT.

The Committee on Ways and Means submitted the following amendment, which was read:

Amend Section 1, on line 2, page 1, printed bill, after the word "dollars" by inserting the following: "or so much thereof as may be necessary."

Amendment adopted.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 62.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 62 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor, and do now report the same back, and recommend that it do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 62 was ordered to print, and to third reading on the special file of Senate bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, making an appropriation therefor—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

STANTON, Chairman.

School at San José and making an appropriation therefor—and do report the same back, and recommend that it do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 67 ordered to print, and to third reading on special file of Senate bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Also: Assembly Bill No. 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STANTON, Chairman.

On motion of Mr. Stanton, Assembly Bills Nos. 75 and 15 were taken up for consideration.

Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read second time.

Assembly Bill No. 75 was ordered to engrossment and on third-reading file.

Assembly Bill No. 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 15.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 15 was considered in Committee of the Whole.

Mr. Stanton moved that the Committee of the Whole rise and report back Assembly Bill No. 15, with the recommendation that it do pass.

So ordered.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Reported adopted.

Assembly Bill No. 15 was ordered to engrossment, and on third-reading file.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Also: Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STANTON, Chairman.

On motion of Mr. Stanton, Senate Bill No. 6 and Committee Substitute for Senate Bill No. 8 were taken up for consideration.

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner. Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 6.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 6 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 6 ordered to third reading on special file of Senate bills.

Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 8.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Committee Substitute for Senate Bill No. 8 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 8—An Act appropriating \$83,800.00 to reimburse the Regents of the University of California, for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of the capital stock of certain corporations, necessary for the maintenance of the University of California—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Committee Substitute for Senate Bill No. 8 ordered to third reading on special file of Senate bills.

REPORTS OF STANDING COMMITTEES—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco, No. 4422.

Also: Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STANTON, Chairman.

On motion of Mr. Stanton, Senate Bills Nos. 13 and 7 were called up for consideration.

Senate Bill No. 13—An Act to appropriate four thousand six hundred and five (\$4,605.00) dollars to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the 8th day of August, 1905, said penalty having been erroneously collected between and including the 8th day of August, 1905, and the 12th day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 13.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 13 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the 8th day of August, 1905, said penalty having been erroneously collected between and including the 8th day of August, 1905, and the 12th day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty etc. Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 13 ordered to third reading on special file of Senate bills.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 7.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 7 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 7 ordered to third reading on special file of Senate bills.

SPECIAL ORDERS.

On motion of Mr. Stanton, all bills reported this forenoon by the Committee on Ways and Means, and which were amended, were ordered sent to the printer with a rush order, and, together with all appropriation bills already reported and not acted upon, be made a special order for eight o'clock this evening.

SENATE MESSAGES.

Senate messages were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Committee Substitute for Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California to be known as

Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

Also: Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Also: Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Also: Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Also: Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Committee Substitute for Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitutes for school records and registers destroyed by conflagration, or other public calamity.

Bill read first time.

Committee Substitute for Senate Bill No. 56 was referred to the Committee on Education, and ordered to second reading on the special file of Senate bills.

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read first time.

Senate Bill No. 59 was referred to the Committee on Ways and Means, and ordered to second reading on the special file of Senate bills.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Bill read first time.

Senate Bill No. 41 was referred to the Committee on Ways and Means, and ordered to second reading on special file of Senate bills.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Senate Bill No. 42 read first time, and ordered on special file of Senate bills.

URGENCY RESOLUTION.

By Mr. Johnson:

Resolved, That Senate Bill No. 42 presents a case of urgency as that term is used in Section 15 of Article IV of the Constitution, and the provisions of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that the said bill be read the first, second, and third times and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—MESSRS. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Cromwell, Cullen, Dorsey, Duryea, Gaus, Goodrich, Hartman, Hawkins, Held, Houser, John,

Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, McNamara, McIneke, Mindham, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobbridge, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.
 NOES—None.

The further consideration of Senate Bill No. 42 was temporarily passed.

Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read first time.

Senate Bill No. 38 was ordered to second reading on the special file of Senate bills.

Also:

SENATE CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Also: Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

LEWIS A. HILBORN, Secretary of Senate.
 By J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 73—An Act to provide for the selection, location, acquisition, and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment, and furnishing of a building or buildings, and for the improvement of the grounds thereof for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in the City of San Francisco, and making an appropriation therefor.

Bill read first time.

Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for filing the same.

Bill read first time.

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read first time.

SPECIAL ORDERS.

Senate Bills Nos. 73, 34 and 36 were referred to the Committee on Ways and Means and ordered to second reading on the special file of Senate bills.

REQUEST FOR PERMISSION TO INTRODUCE BILL OUT OF ORDER.

Mr. Stanton requested permission to introduce a bill out of order, as follows:

MR. SPEAKER: I request permission to introduce Assembly Bill No. —, entitled "An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California."

STANTON.

Referred to Committee on Introduction of Bills.

URGENCY RESOLUTION.

By Mr. Amerige:

Resolved, That Assembly Bill No. 75 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second, and third times, and placed upon its passage.

Resolution adopted.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Amerige, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Duryea, Gans, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitheltree, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYER—Messrs. Amerige, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Duryea, Gans, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitheltree, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Whiting, and Mr. Speaker—58.

NOES—None.

Title read and approved.

Assembly Bill No. 75 was ordered transmitted to the Senate.

ASSEMBLY CONCURRENT RESOLUTION No. 4. RELATIVE TO THE RECENT STATE CALAMITY.

Mr. Dorsey was granted leave to introduce the following concurrent resolution, which was read:

ASSEMBLY CONCURRENT RESOLUTION No. 4.

WHEREAS, Insuperable Providence has visited upon certain localities of our beloved State a calamity, which by the consequent loss of life among our relatives, friends and fellow citizens, has touched with sorrow the hearts of all humanity, and which, by the unparalleled destruction of public and private property has deprived many thousands of persons of their homes and means of subsistence, thus placing them temporarily in need of sympathy and material assistance from the State: now, therefore,

Resolved, by the Assembly of the State of California, the Senate concurring, in extraordinary session assembled, That we hereby extend to our fellow citizens in the stricken localities our most profound condolences upon the great loss which they have suffered and the assuagement of our common grief for the individuals and families of the afflicted by death or injury, and our most confident hope of early and complete recovery from the material losses suffered.

We warmly commend the high spirit of calmness and resolution displayed by our fellow citizens amid the direct misfortunes that can befall any community, and we recognize in that spirit a demonstration of individual and public character which is at once a source of pride in our common race and the strongest possible assurance of future rehabilitation.

We recognize and appreciate the services rendered by the public authorities, Federal, State and local, and by private individuals, companies and organizations in the maintenance of public order and the relief of public and private distress.

We gratefully appreciate the assistance rendered by the American people of all localities, the promptness and generosity of which not only obviated the danger of physical suffering, immediately following the recent disaster, but has greatly lightened the burden of the succeeding days; and we gladly join the tribute of the world to the exemplification thus afforded of the great-heartedness and sublime humanity which animate the American people.

We greatly appreciate the expressions of sympathy extended by the governments and citizens of other nations and the material aid offered by and received from such governments and citizens, and we voice the fervent hope that the spirit of world-wide human kinship thus manifested in the hour of trial may grow and flourish until it shall become the dominating influence upon all occasions and in all the affairs, domestic and international, of the human race.

We recognize that now and in the future, as in the past, the growth and prosperity of our State, as in all other commonwealths, are dependent upon and proportioned to the conditions of labor; accordingly we deem it of the first importance that the conditions of labor in the localities affected by the recent misfortune be conserved in such manner, as to wages, hours and other essential matters, as shall secure and perpetuate the highest standards, moral and material, of society.

To this end we express the hope, based upon conviction of economic and social laws, that the efforts of our citizens and public authorities, of employers and employees, and of all persons occupying positions of influence or authority among their fellows, shall be exerted toward maintaining the conditions of all labor and employment at a point sufficiently high to insure peace, harmony, and good prospects among all parties to the industrial development of our State, and especially of those localities directly affected by the recent disaster.

In offering these expressions of sympathy, gratitude, and good cheer to the people of California, of the United States, and of the world, we declare it to be our hope and belief that the occasion which has called together the representatives of the sovereign people of California will shortly be remembered only by the good that it has wrought in awakening to practical deeds the sympathies of all mankind, in reviving the affections and associations of friends and families, and in the restoration in grander dimensions of the cities of our birth and habitation, and which shall stand forever as the symbol of our faith in the glorious destiny of our land, and in the wisdom and power of the Almighty.

On motion of Mr. Dorsey, Assembly Concurrent Resolution No. 4 was adopted.

Mr. Atkinson (in the chair) was granted leave to introduce the following:

ASSEMBLY CONCURRENT RESOLUTION NO. 5.

Relating to printing the laws, amendments to the codes, and proposed constitutional amendments for free distribution by the Secretary of State.

Resolved by the Assembly, the Senate concurring, That the Superintendent of State Printing be instructed to cause to be printed an edition of five thousand copies of the laws, amendments to the codes, and proposed constitutional amendments, passed at this extra session, to be indexed by the Secretary of State, the same to be stitched and paper covered, and to be delivered to the Secretary of State for free distribution. Also, in addition to these five thousand copies, the Superintendent of State Printing be instructed to print in chapter form forty thousand copies of either Assembly Bill No. 34 or Senate Bill No. 19, relating to the annual license tax upon corporations, should either bill pass and become a law; fifteen hundred copies of either Assembly Bill No. 16 or Senate Bill No. 13, relating to the refunding of money to certain corporations, should either bill pass and become a law, and two hundred and fifty copies of all other chapters and proposed constitutional amendments for free distribution by the Secretary of State, all of which shall be paid for out of the appropriation for legislative printing.

On motion of Mr. McCartney, Assembly Concurrent Resolution No. 5 was adopted.

SENATE BILL CALLED UP.

Mr. Johnson called up for further consideration Senate Bill No. 42.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read first time.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read second time.

Senate Bill No. 42—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Duryea, Gans, Gates, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strohl, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 42 was ordered transmitted to the Senate.

RECESS.

At twelve o'clock and five minutes P. M., on motion of Mr. McCartney, Hon. Thos. E. Atkinson, Acting Speaker of the Assembly, declared the Assembly at recess until two o'clock and thirty minutes P. M.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock and thirty minutes P. M.
Hon. Thomas E. Atkinson, Acting Speaker, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Education was granted leave to submit the following report, which was read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 8, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools—have had the same under consideration, and respectfully report the same back and recommend that it do pass.

Also: Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

SLAVEN, Chairman.

BILLS TAKEN UP.

On motion of Mr. Slaven, the bills just reported back by the Committee on Education were taken up for consideration.

Bills were considered as follows:

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read second time.

Senate Bill No. 32 was ordered to third reading on the special file of Senate bills.

Senate Bill No. 47—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read second time.

The Committee on Education submitted the following amendments, which were read:

COMMITTEE AMENDMENT NO. 1.

On line 37, page 2, printed bill, after the word "the" insert the word "next."

Amendment adopted.

COMMITTEE AMENDMENT NO. 2.

On line 37, page 2, printed bill, after the word "preceding" insert the word "school."

Amendment adopted.

COMMITTEE AMENDMENT NO. 3.

On line 41, page 2, printed bill, after the word "census" insert the word "record."

Amendment adopted.

Senate Bill No. 47 was ordered to print, and to third reading on the special file of Senate bills.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Introduction of Bills requested and was granted leave to submit the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Introduction of Bills, to whom was referred Assembly bill returned herewith—have had the same under consideration, and a majority of said committee respectfully report the same back, and recommend that the author be permitted to introduce the same.

HOUSER, Chairman.

INTRODUCTION OF BILL.

In accordance with the above report, the following bill was introduced:

By Committee on Ways and Means: Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

Bill read first time.

Assembly Bill No. 80 was ordered to the second-reading file, the same having been reported by the Committee on Ways and Means.

THIRD READING OF BILLS ON SPECIAL SENATE FILE.

The third-reading special file of Senate bills was taken up, and bills acted on as follows:

Senate Bill No. 5—An Act to furnish, grant, convey and relinquish to the United States of America the right of way in San Joaquin

County now (or hereafter) obtained by the Commissioner of Public Works under an Act of the Legislature, approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way, and the costs and expenses of obtaining the same," and under the laws of the State of California, relating to such matters, for the purpose of the construction and completion on such right of way by the United States of America of a diverting canal east of the City of Stockton from the Mormon Channel to the Calaveras River and along the channel of the Calaveras River to the San Joaquin River, pursuant to an Act of Congress of June 13, 1902, and to subsequent Acts of Congress relating thereto, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances thereof, and to authorize and direct the Secretary of the State to countersign and make delivery of the same to the United States of America.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Chandler, Cleveland, Cooper, Creighton, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Jarvis, Johnson, Jones of Tuolumne, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Strobbridge, Strohl, Thompson, Walsh, Whiting, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Senate Bill No. 5 was ordered transmitted to the Senate.

SECOND-READING SENATE SPECIAL FILE.

The second-reading special file of Senate bills was taken up and bills considered as follows:

Committee Substitute for Senate Bill No. 64—An Act to provide for the establishment and quieting of title to real property in ease of the loss or destruction of public records.

Bill read second time.

Senate Bill No. 64 was ordered to third reading on the special file of Senate bills.

Senate Bill No. 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read second time.

Senate Bill No. 32 ordered to third reading on the special file of Senate bills.

Senate Bill No. 35—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read second time.

Senate Bill No. 35 ordered to third reading on the special file of Senate bills.

ASSEMBLY THIRD-READING FILE.

Bills on the Assembly third-reading file were taken up and considered, as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 5.

(As amended in Assembly June 4, 1906.)

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that section eight of article eleven of the Constitution of the State of California be amended by adding at the end of said section 8 the following:

In the City and County of San Francisco and in the City of San José, for and during the period of two years from the date of the adoption of this amendment, the charter of said city and county or of said city may be amended at any time or times by proposal or proposals therefor, submitted by the legislative authority of the said city and county or city to the qualified electors thereof, at a general or special election held at least five days after the publication of such proposal or proposals for ten days in a daily newspaper of general circulation in said city and county or city and ratified by a majority of the qualified voters voting thereon; which amendment or amendments when so ratified by such vote shall immediately and without subsequent approval by the Legislature become and be in full force and effect, and all acts, proceedings, matters or things done, taken, adopted or performed by any public board, officer, or by any individual or person under such ratified amendments of the charter of the said City and County of San Francisco or City of San José shall be forever as valid and effective as though such amendment or amendments to said charter had been approved by the Legislature.

Assembly Constitutional Amendment No. 5, as amended, read.

CALLED TO THE CHAIR.

At two o'clock and fifteen minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Devlin to the chair.

AMENDMENT.

Mr. Olmsted offered the following amendment to Assembly Constitutional Amendment No. 5:

Amend by striking out of line 18 the word "majority" and inserting therein the words "two-thirds vote."

ACTING SPEAKER RESUMES THE CHAIR.

At three o'clock and thirty-five minutes P. M., pending the consideration of Assembly Constitutional Amendment No. 5, Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

AMENDMENT LOST.

The question being on the adoption of Mr. Olmsted's amendment. On being put to vote, the same was declared lost.

CALL OF THE HOUSE.

The question being on the adoption of Assembly Constitutional Amendment No. 5, as amended.

Pending the call of the roll and the announcement of the result, Mr. McGowan, at three o'clock and forty minutes P. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Busiek, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cullen, Devlin, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitchellree, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—63.

The doors were ordered closed.

The Sergeant-at-Arms was furnished with a list of unexcused members.

At four o'clock and ten minutes p. m. the Sergeant-at-Arms brought in Messrs. Cromwell and Transue, who were excused, as they were absent on committee duties.

FURTHER PROCEEDINGS DISPENSED WITH.

On motion of Mr. Treadwell, at four o'clock and twenty minutes p. m., further proceedings under the call of the House were dispensed with.

ASSEMBLY CONSTITUTIONAL AMENDMENT LOST.

Hon. Thos. E. Atkinson, Acting Speaker, announced the result of the vote on the adoption of Assembly Constitutional Amendment No. 5, and declared the same was refused adoption by the following vote:

AYES—Messrs. Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Branstetter, Coghlan, Cooper, Coyle, Cullen, Duryea, Ells, Gans, Gates, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McGowan, McKenney, Meineke, Mindham, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Walsh, Whiting, Wickersham, and Mr. Speaker—46.

NOES—Messrs. Amerige, Burge, Busiek, Chandler, Cleveland, Creighton, Cromwell, Devlin, Goodrich, Hartman, Hawkins, Houser, McCartney, Mitchellree, Moore, Olmsted, Perkins, Thompson, and Weyand—19.

NOTICE OF RECONSIDERATION.

Mr. Hartman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 5 was this day refused adoption.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Ways and Means was granted leave to submit the following report, out of order, which was read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 70—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with three amendments, and recommend that the same do pass as amended.

STANTON, Chairman.

On motion of Mr. Stanton, Senate Bill No. 70 was called up for consideration.

COMMITTEE AMENDMENTS.

The Committee on Ways and Means submitted the following amendments, which were read:

AMENDMENT No. 1.

Amend by striking out the word "City" in Section 2, on line 2, page 1, printed bill, and inserting in lieu thereof the following: "State."

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the words and figures "two hundred thousand (200,000)" in Section 2, on line 3, page 1, printed bill, and inserting in lieu thereof the following: "one hundred thousand (100,000)."

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "the" before the word "Senate," on line 1 of the enacting clause.

Amendment adopted.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 70.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 70 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 70—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor—and do now report the same back, and recommend that it do pass as amended.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 70 was ordered to print with a rush order, and on motion of Mr. Stanton made a special order for eight o'clock this evening.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Also: Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Also: Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Also: Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, and recommend that the same do pass.

STANTON, Chairman.

On motion of Mr. Stanton, all bills just reported were taken up for consideration, as follows:

Senate Bill No. 34—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read second time.

Senate Bill No. 34 was ordered to third reading on the special file of Senate bills.

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read second time.

Senate Bill No. 36 was ordered to third reading on the special file of Senate bills.

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to the disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read second time.

Senate Bill No. 59 was ordered to third reading on the special file of Senate bills.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 71—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Also: Assembly Bill No. 74—An Act to appropriate the sum of \$83,800.00 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Also: Assembly Bill No. 76—An Act appropriating \$2,500 for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Have had the same under consideration, and respectfully report the same back, and recommend that they do pass.

STANTON, Chairman.

On motion of Mr. Stanton, Assembly Bills Nos. 71, 74, and 76 were called up for second reading.

Assembly Bill No. 71—An Act to amend Section 2528 of the Political Code of the State of California, relating to the disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read second time.

Assembly Bill No. 71 was ordered to engrossment, and on third-reading file.

Assembly Bill No. 74—An Act to appropriate the sum of \$83,800.00 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 74.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.
Assembly Bill No. 74 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 74—An Act to appropriate the sum of \$83,800.00 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 74 was ordered to engrossment, and on third-reading file.

Assembly Bill No. 76—An Act appropriating \$2,500 for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 76.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.
Assembly Bill No. 76 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 76 (No. 43 on file)—An Act appropriating \$2,500 for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 76 was ordered to engrossment, and on third reading file.

REPORT OF STANDING COMMITTEE—(RESUMED).

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor—have had the same under consideration, and respectfully report the same back with four amendments, and recommend that the same do pass as amended.

STANTON, Chairman.

COMMITTEE AMENDMENTS.

The Committee on Ways and Means submitted the following amendments, which were read:

AMENDMENT No. 1.

Amend by striking out the words "not more than," in Section 5, on line 8, page 3, printed bill.

AMENDMENT No. 2.

Amend by striking out the word "after," in Section 5, line 9, page 3, printed bill.

AMENDMENT No. 3.

Amend by striking out all of Section 6, page 3, printed bill.

AMENDMENT No. 4.

Adding two new sections:

"Sec. 6. This Act is hereby exempt from the provisions of the Building Act approved March 23, 1876, and all Acts amendatory thereof and supplemental thereto.

"Sec. 7. This Act shall take effect, and be in force from and after July 1st, 1906."

Senate Bill No. 73 was ordered to print, and to second reading on the special file of Senate bills.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

STANTON, Chairman.

On motion of Mr. Stanton, Assembly Bill No. 69 was taken up for consideration.

Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read second time.

COMMITTEE AMENDMENT.

The Committee on Ways and Means submitted the following amendment, which was read:

AMENDMENT No 1.

Amend by striking out the words "thirty-five thousand" in Section 1, on line 1, page 1, printed bill, and inserting in lieu thereof the following: "four thousand."

Amendment adopted.

MOTION.

Mr. Transue moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 69.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No 69 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furni-

ture, furnishings, stationery, and supplies for the District Court of Appeal of the First District—and do now report the same back with one amendment, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 69 was ordered to print, engrossment, and on third-reading file.

Also :

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER : Your Committee on Ways and Means, to whom was referred Assembly Bill No. 67—An Act appropriating \$4500 to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California—have had the same under consideration, and respectfully report the same back with one amendment, and recommend that the same do pass as amended.

STANTON, Chairman.

MOTION.

On motion of Mr. Stanton, Assembly Bill No. 67 was taken up for amendment.

Assembly Bill No. 67—An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read second time.

COMMITTEE AMENDMENT.

The Committee on Ways and Means submitted the following amendment, which was read :

Amend by striking out the words and figures "forty-five hundred (\$4500)" in Section 1, on line 4, page 1, printed bill, and inserting in lieu thereof the following: "twenty-five hundred (\$2500)."

Amendment adopted.

MOTION.

Mr. Transue moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 67.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 67 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN : The Committee of the Whole have had under consideration Assembly Bill No. 67—An Act appropriating \$4500 to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California—and do now report the same back with one amendment, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

On motion of Mr. Transue, Assembly Bill No. 67 was ordered to print with a rush order, and made a special order for eight o'clock this evening.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Education was granted leave to submit out of order the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Committee Substitute for Senate Bill No. 56—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

SLAVEN, Chairman.

RULE SUSPENDED.

Mr. Stanton moved to suspend Rule 77, relating to the introduction of bills, and that the Committee on Ways and Means be permitted to introduce a bill out of order.

Motion carried.

INTRODUCTION OF BILL.

By the Committee on Ways and Means: Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes, and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California, and to provide for the payment of interest on such investment.

Bill read first time.

On motion of Mr. Stanton, Assembly Bill No. 81 was ordered to print with a rush order, and to second reading, to be placed on special order file for eight o'clock this evening.

SENATE MESSAGES.

Senate messages were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following: Senate Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

Also: Committee Substitute for Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents which have been lost or destroyed by conflagration or other public calamity.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Senate Constitutional Amendment No. 8 was, on motion of Mr. Treadwell, ordered on the special file of Senate bills without reference to a committee.

Committee Substitute for Senate Bill No. 69 was read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following as cases of urgency: Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Also: Senate Bill No. 79—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

LEWIS A. HILBORN, Secretary of Senate.

Senate Bills Nos. 72 and 79 were read first time, and referred to Committee on Judiciary.

Assembly Bill No. 75 was ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following as cases of urgency:

Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Also: Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Also: Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Also: Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Also: Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Assembly Bill No. 29 was ordered to enrollment.

Senate Bills Nos. 77, 70, and 71 were read first time, and referred to Committee on Ways and Means.

Senate Bill No. 40 was read first time, and referred to Committee on Judiciary.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following as a case of urgency: Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

I also beg to advise you that the Senate this day concurred in Assembly amendments to Senate Bill No. 5.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Assembly Bill No. 27 was ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following as a case of urgency:

Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Assembly Bill No. 12 was ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following Senate Concurrent Resolution No. 2, relative to adjournment: *Resolved by the Senate, the Assembly concurring*, That the two houses adjourn *sine die* at ten o'clock P. M. on Saturday, June 9, 1906.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Senate Concurrent Resolution No. 2 was read and ordered referred to the Committee on Ways and Means.

THIRD-READING FILE.

Bills on third-reading file of the Assembly were called up and considered, as follows:

Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8 and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

Bill read third time.

SELECT COMMITTEE AMENDMENT.

Mr. Pryor moved that a select committee of one be appointed to amend Assembly Bill No. 34, as follows:

After the word "dollars" in line 16, page 2, of the printed bill, insert the following: "Provided, that upon filing with the Secretary of State, a written statement, verified by the oath of the president, secretary, and a majority of the directors of such corporation 'that such corporation was not organized for profit, does not make profit, has no income whatever, and was organized and exists merely as a convenience.' Such corporation shall thereupon be issued a license upon payment of a fee of \$2.50; and provided further, that the penalty for delinquency as to such corporation shall be \$2.50."

Motion carried.

Mr. Pryor was appointed as the select committee of one.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid—with instructions, does now report that the instructions of the Assembly have been carried out.

PRYOR, Select Committee.

On motion of Mr. Pryor the amendment was adopted.

Mr. Lumley moved that a select committee of one be appointed to amend Assembly Bill No. 34 as follows:

Amend by striking out the words "twenty dollars," on line 9, page 2, printed bill, and inserting in lieu thereof the following: "five cents on each \$1000 of capital stock."

On being put to vote the motion was declared lost.

Mr. Hawkins moved that a select committee of one be appointed to amend Assembly Bill No. 34, as follows:

After the word "dollars" in line 16, page 2 of the printed bill, insert the following: "Provided, that if such corporation was not organized for profit or has a capital of twenty-five thousand dollars or less, the license tax or fee for such corporation shall be ten dollars."

On being put to vote the motion was declared lost.

Assembly Bill No. 34 was ordered to print, reëngrossment, and to the third-reading file.

RECESS.

At five o'clock and five minutes p. m., on motion of Mr. Transue, Hon. Thos. E. Atkinson, the Acting Speaker, declared a recess of the Assembly until eight o'clock this evening.

EVENING SESSION.

The Assembly reconvened at eight o'clock p. m.
Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

NOTICE OF RECONSIDERATION.

Mr. Chandler gave notice that on the next legislative day he would move to reconsider the vote whereby Mr. Pryor's amendment to Assembly Bill No. 34 was adopted.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Contingent Expenses and Accounts was granted leave to submit, out of order, the following report, which was read.

ON CONTINGENT EXPENSES AND ACCOUNTS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Contingent Expenses and Accounts, to whom was referred the following resolution:

Be it Resolved, That the Sergeant-at-Arms be and he hereby is authorized to purchase two hundred "Star binders" for the use of the Assembly committees and the press, and the Controller is authorized to draw his warrant for \$200 in favor of the Sergeant-at-Arms, and the Treasurer is authorized to pay the same.

Recommend that the same be amended by striking out the words "Star binders" in line 2, and inserting in lieu thereof the words "board clips"; also strike out the numerals \$200.00 in line 3, and insert therein the numerals \$120.00 in lieu thereof, and respectfully report the same back and recommend that it do pass as amended.

CROMWELL, Chairman.

On motion of Mr. Cromwell, the report of the committee was adopted.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed: Assembly Bill No. 14—An Act to amend Section 675 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Also: Assembly Bill No. 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Also: Assembly Bill No. 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

DEVLIN, Chairman.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Senate Bills Nos. 43, 46, 62, 67, also Assembly Bill No. 80, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The question being upon the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Branstetter, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Ells, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—54.

NOES—None.

BILLS ACTED ON.

Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 43.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 43 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor—and do now report the same back with amendment, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 43—An Act to provide for certain improvements and repairs at the Napa State Hospital and making an appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No. 43 was ordered transmitted to the Senate.

Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 46.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 46 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor—and do now report the same back with amendments and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 46—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—MESSRS. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Braustetter, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cronwell, Drew, Duryen, Ells, Gans, Gates, Goodrich, Hawkins, Held, Jarvis, John, Johnson, Jones, of Tuolumne, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Slaven, Stanton, Stroh, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—54.

NOES—Mr. Cleveland—1.

Title read and approved.

Senate Bill No. 46 was ordered transmitted to the Senate.

REPORT OF COMMITTEE ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 58—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing a substitute for the count of average daily attendance in certain high schools and school districts.

Also: Assembly Bill No. 63—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

DEVLIN, Chairman.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 62.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 62 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor—and do now report the same back with amendment and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 62—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Arnerich, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitchell, Moore, O'Brien, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Senate Bill No. 62 was ordered transmitted to the Senate.

Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 67.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 67 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making an appropriation therefor—and do now report the same back with amendments, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 67—An Act to provide for certain improvements and repairs to the State Normal School at San José, and making appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Burke, Chandler, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, King, Lumley, Lynell, McCartney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strohl, Thompson, Transue, Vogel, Weyand, Whiting, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 67 was ordered transmitted to the Senate.

Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 80.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 80 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California—and do now report the same back, and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Branstetter, Busick, Chandler, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Ells, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lumley, Manwell, McCartney, McGowan, McKenney, Meineke, Mindham, Mitcheltree, O'Brien, Olmsted, Perkins, Pfaeffle, Pryor, Pyle, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 80 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Ways and Means was granted leave to submit, out of order, the following report, which was read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: The undersigned, your Committee on Ways and Means, to whom was referred Senate Bill No. 70—An Act making an appropriation for the purchasing of law books for the Attorney-General.

Also: Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Also: Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Have had the same under consideration, and respectfully report the same back and recommend that they do pass.

STANTON, Chairman.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Assembly Bills Nos. 67, 69, 70, also Senate Bills Nos. 6, 7, 13, 41, 70, 71, 77, also Committee Substitute for Senate Bill No. 8, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lumley, Lynch, McCartney, McGowan, McKenney, Meineke, Mindham, Mitcheltree, Moore, Perkins, Pryor, Pyle, Rolley, Slaven, Stanton, Strohl, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 67—An Act appropriating \$4500 to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read third time.

Mr. Stanton moved that a select committee of one be appointed to amend Assembly Bill No. 67, as follows:

Strike out in line 2 of title the words and figures "forty-five hundred (\$4500)," and insert in lieu thereof the following: "twenty-five hundred (\$2500)."

Motion carried.

Mr. Stanton was appointed such select committee.

REPORT OF SELECT COMMITTEE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: Your select committee of one, to whom was referred Assembly Bill No. 67—An Act appropriating forty-five hundred (\$4500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California—with instructions, does now report that the instructions of the Assembly have been carried out.

STANTON. Select Committee.

REPORT ADOPTED.

On motion of Mr. Stanton, the report of the select committee of one was adopted.

MADE SPECIAL ORDER.

On motion of Mr. Stanton, Assembly Bill No. 67 was ordered to print with a rush order, to reëngrossment and made special order for tomorrow (Saturday) immediately after reading the Journal.

Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lynch, Manwell, McCartney, McGowan, McKenney, Meineke, Mindham, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 69 was ordered transmitted to the Senate.

RESOLUTION.

By Sacramento Delegation:

WHEREAS, C. W. Haub, Bookkeeper to the Sergeant-at-Arms, and an attaché of this Assembly for three sessions last past, has suffered an affliction in the loss of his brother: now therefore, be it

Resolved, That we extend to our fellow co-worker in this Assembly our heartfelt sympathy in this his hour of bereavement. And be it further

Resolved, That a copy of these resolutions be mailed by the Chief Clerk of this Assembly to Bookkeeper C. W. Haub.

FRANK J. O'BRIEN.
CHARLES O. BUSICK.
E. J. LYNCH.

On motion of Mr. Lynch, the resolution was adopted.

Assembly Bill No. 70—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cooper, Cromwell, Cullen, Devlin, Dorsey, Ells, Gans, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of

Tuolumne, Jones of San Francisco, King, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Perkins, Pfaefle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—Mr. Coyle—1.

Title read and approved.

NOTICE OF RECONSIDERATION.

Mr. McGowan gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 70 was passed.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Bill read second time.

MOTION.

Mr. Transue moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 71.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 71 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the Attorney-General—and do now report the same back and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 71—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cullen, Devlin, Dorsey, Ells, Gans, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lumley, Lynch, McCartney, McGowan, McKenney, Meineke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaefle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Senate Bill No. 71 was ordered transmitted to the Senate.

Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Bill read second time.

Senate Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Bliss, Boyle, Branstetter, Burke, Busick, Cooper, Coyle, Cronwell, Devlin, Ells, Gans, Gates, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lumley, McCartney, McGowan, McKenney, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pryor, Pyle, Severance, Stanton, Strohl, Transue, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—41.

NOES—Messrs. Beardslee, Beckett, Coghlan, Creighton, Cullen, Lynch, Slaven, Thompson, and Weyand—9.

Title read and approved.

Senate Bill No. 77 was ordered transmitted to the Senate.

MOTION TO ADJOURN LOST.

Mr. Weyand moved that the Assembly do now adjourn until tomorrow (Saturday) at ten o'clock and thirty minutes A. M.

Motion lost.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Held moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 41.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 41 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor—and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 41—An Act to provide for certain improvements and repairs at the Mendocino State Hospital and making an appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Arnerich, Beardslee, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Creighton, Cullen, Devlin, Ells, Gans, Gates, Hawkins, Held, Honser, John, Johnson, Jones of Tuolumne, King, Lynch,

McCartney, McGowan, McKenney, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pryor, Pyle, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Senate Bill No. 41 was ordered transmitted to the Senate.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read second time.

Senate Bill No. 7—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Creighton, Cullen, Devlin, Dorsey, Ells, Gans, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, King, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 7 was ordered transmitted to the Senate.

ADJOURNMENT.

Mr. Dorsey moved that the Assembly do now adjourn until to-morrow, Saturday, at ten o'clock and thirty minutes A. M.

Motion carried.

At ten o'clock and six minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, declared the Assembly adjourned until to-morrow, Saturday, June 9, 1906, at ten o'clock and thirty minutes A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,)
Saturday, June 9, 1906. }

The Assembly met, pursuant to adjournment, this Saturday, June 9, 1906, at ten o'clock and thirty minutes A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson,

Jones of Tuolumne, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Espey, Estudillo, and Creighton.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNAL.

During the reading of the Journal of June 8, 1906, on motion of Mr. John, the further reading was dispensed with.

The Journal of Thursday, June 7, 1906, was corrected, and as corrected approved.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 9 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bill correctly engrossed: Assembly Bill No. 13—An Act providing for the disposition of actions and proceedings in which the record of the proceedings upon the trial thereof has been lost or destroyed by conflagration or other public calamity.

DEVLIN, Chairman.

SENATE MESSAGES.

Messages from the Senate were called up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Senate Constitutional Amendment No. 2, being identical with Assembly Constitutional Amendment No. 5, was read and ordered on special file of Senate bills without reference to a committee.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Also: Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May and June, 1906.

Also: Senate Bill No. 68—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Senate Bills Nos. 57, 65, and 68 were read the first time, and ordered to second reading on the special file of Senate bills without reference to a committee.

Also:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Committee Substitute for Senate Bill No. 60 was read the first time, and ordered to second reading on the special file of Senate bills without reference to a committee.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding two new sections thereto, to be known as Sections 10a and 10b, relating to a license tax upon corporations, and making provision for settling the affairs of corporations where said tax has not been paid, and providing a penalty for the violation thereof.

Also: Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Also: Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Senate Bills Nos. 19 and 76 were read the first time, and ordered to second reading on the special file of Senate bills without reference to a committee.

Mr. Bates requested, and was granted, leave to withdraw Assembly Bill No. 67, being identical with Senate Bill No. 76.

Assembly Bill No. 80 was ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 8, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to the following:

Senate Bill No. 43.
Senate Bill No. 46.
Senate Bill No. 62.
Senate Bill No. 67.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bill correctly re-engrossed:

Assembly Bill No. 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropria-

tion for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

DEVLIN, Chairman.

ASSEMBLY CONSTITUTIONAL AMENDMENT.

On motion of Mr. Stanton, the rules were suspended and permission was granted to Mr. Atkinson (in the chair) to introduce a constitutional amendment without reference to a committee.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 6.

A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section nineteen thereof, relating to the use of streets, pipes and conduits for water and artificial light.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its special session commencing on the 2nd day of June, A. D. 1906, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposed that Article XI, section nineteen of the State of California, be amended by adding thereto the following:

Provided, That the City and County of San Francisco may, within the period of two years from the date of the adoption of the amendment, regulate and restrict the use of its streets, and the establishment, maintenance, operation or enjoyment of any privileges therein or thereon under the provisions of this section, so as to protect its streets and any improvements which may be made thereon from destruction damage or injury.

The proposed amendment was read, ordered to print, and ordered on file without reference to a committee.

URGENCY RESOLUTION.

By Mr. Treadwell:

Resolved, That Assembly Bills Nos. 37, 38, 60, 78, 79, 13, 76, 81, 8, and Senate Bills Nos. 47, 59, 38, 73, 34, 36, 72, 79, 65, Committee Substitute for Senate Bill No. 56, Committee Substitute for Senate Bill No. 69, Senate Bills Nos. 57, 76, 68, 19, and Committee Substitute for Senate Bill No. 60, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second, and third times, and placed upon their passage.

CALLED TO THE CHAIR.

At eleven o'clock and twenty-nine minutes A. M., Hon. Thos. E. Atkinson, the Acting Speaker, called Mr. Bates to the chair.

MOTION TO AMEND RESOLUTION.

Mr. Busick moved to amend the resolution by striking out therefrom consideration of Senate Bill No. 73.

Motion lost.

RESUMED THE CHAIR.

At eleven o'clock and forty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

RESOLUTION ADOPTED.

The question being on the adoption of the resolution.

The roll was called, and the resolution was adopted by the following vote:

AYES—Messrs. Amerige, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branster, Burke, Chandler, Coghlan, Cooper, Cromwell, Cullen, Devlin, Drew, Ellis, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne,

Jury, King, Lunley, Lynch, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitchellree, Moore, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—57.

NOES—Messrs. Burge, Busick, Cleveland, Coyle, Gates, and O'Brien—6.

CONCURRENT RESOLUTION—(OUT OF ORDER).

Mr. Whiting requested and was granted leave to introduce (out of order) a concurrent resolution, which was read:

ASSEMBLY CONCURRENT RESOLUTION No. 6.

Requesting our Representatives in Congress to use their efforts to modify or amend the Act of Congress regulating hydraulic mining in the State of California.

WHEREAS, The production of gold from the hydraulic mines of the State of California materially added to the world's supply of gold and attracted the attention of the world to the various natural resources and glorious climate of this State; and,

WHEREAS, There is yet in the hills of California as much, if not more, wealth than was ever taken out; and,

WHEREAS, The restrictions of the congressional anti-débris law practically prohibit the extraction of much of this wealth; and,

WHEREAS, By the application of science and engineering skill by some such method as is commonly called "losing the Yuba River" or other methods of débris diversion, the resumption of hydraulic mining in some districts in which it is now prohibited may be allowed without causing any damage to the agricultural and horticultural interests of the State; and,

WHEREAS, The opening up of these hydraulic mines would be the means of pouring into the avenues of commerce of the State and nation untold millions of dollars which would help to counteract the effects of the destruction that has been done to the State and nation by the recent calamity to San Francisco and vicinity resulting indirectly in great injury to the whole State; now, therefore, be it

Resolved by the Assembly, the Senate concurring, That we request our Senators and Representatives in Congress to use their efforts to amend said anti-débris law by allowing a diversion to be made of the débris caused by hydraulic mining upon waste lands or places which would be benefited rather than harmed by the deposition of such débris, to the end that hydraulic mining may be resumed where such diversion of débris may be accomplished.

Resolved, That a copy of these resolutions be immediately forwarded to each of our Senators and Representatives in Congress, one to the President of the United States, and one to the Secretary of War.

On motion of Mr. Busick, Assembly Concurrent Resolution No. 6 was referred to the Committee on Federal Relations.

SPECIAL ORDERS CALLED UP.

On motion of Mr. Stanton, it was ordered that Senate Bills Nos. 13, 8, 6, and 70, which had been set as special orders for consideration at last evening's session and not reached at the hour of adjournment, were called up for consideration.

Senate Bill No. 13—An Act to appropriate four thousand six hundred and five dollars (\$4,605.00) to repay to certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the 8th day of August, 1905, said penalty having been erroneously collected between and including the 8th day of August, 1905, and the 12th day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc., Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Bliss, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Cooper, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Goodrich, Hartman, Held, John, Johnson, Jones of

Tuolumne, Jury, King, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—57.
 NOES—Messrs. Coyle and Hawkins—2.

Title read and approved.

Senate Bill No. 13 was ordered transmitted to the Senate.

Committee Substitute for Senate Bill No. 8—An Act to appropriate the sum of eighty-three thousand eight hundred (\$83,800.00) dollars for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

Bill read third time.

CALLED TO THE CHAIR.

At twelve o'clock and five minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Walsh to the chair.

The question being on the final passage of Committee Substitute for Senate Bill No. 8.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busiek, Chandler, Coghlan, Cooper, Cullen, Devlin, Drew, Gans, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jury, King, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Perkins, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—51.
 NOES—Messrs. Amerige, Arnerich, Burge, Cleveland, Coyle, Cromwell, Dorsey, Gates, Houser, Lynch, McCartney, and Olmsted—12.

Title read and approved.

Committee Substitute for Senate Bill No. 8 was ordered transmitted to the Senate.

RESUMED THE CHAIR.

At twelve o'clock and fifteen minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

Senate Bill No. 6—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burge, Burke, Busiek, Chandler, Cleveland, Coghlan, Cooper, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Gans, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, McCartney, McGowan, McKenney, McNamara, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—68.
 NOES—Mr. Houser—1.

Title read and approved.

Senate Bill No. 6 was ordered transmitted to the Senate.

Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Bill read second time.

MOTION.

Mr. Amerige moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 70.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.
Senate Bill No. 70 was considered in Committee of the Whole.

IN ASSEMBLY

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General—and do now report back, and recommend that the same do pass.

ATKINSON, Chairman

Report adopted.

Senate Bill No. 70—An Act making an appropriation for the purchase of law books for the Attorney-General.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Bates, Beckett, Bliss, Boyle, Branstetter, Burge, Busiek, Chandler, Coghlan, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Ellis, Goodrich, Hartman, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, King, Lamley, McCartney, McGowan, McKenney, Mindham, Mitcheltree, O'Brien, Perkins, Pryor, Pyle, Severance, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—50.
NOES—Messrs. Beardslee, Burke, Cooper, Gans, Hawkins, McNamara, Meincke, Moore, Olmsted, and Slaven—10.

Title read and approved.

Senate Bill No. 70 was ordered transmitted to the Senate.

RECESS.

At twelve o'clock and twenty-five minutes P. M., on motion of Mr. Amerige, Hon. Thos. E. Atkinson, Acting Speaker of the Assembly, in the chair, declared a recess of the Assembly until two o'clock and thirty minutes P. M. this day.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock and thirty minutes P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Judiciary was granted leave to submit (out of order) the following report, which was read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming, or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity—report the same back, with the recommendation that it do pass.

Also: Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity—report the same back with three amendments, and with the recommendation that it do pass as amended.

DURYEA, Chairman.

Assembly Bill No. 45 was ordered to the Assembly second-reading file.

On motion of Mr. Duryea, Assembly Bill No. 39 was taken up for consideration.

Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

AMENDMENT No. 1.

Amend by inserting after word "petitioner," in line 10, a comma, and the following: "intervenor, or cross-complainant."

Amendment adopted.

AMENDMENT No. 2.

Amend by inserting a comma after the word "survives" in line 12, page 1 of the printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out the word "four" in line 13, page 1 of the printed bill, and inserting in lieu thereof the word "six."

Amendment adopted.

On motion of Mr. Duryea, Assembly Bill No. 39 was ordered to print with a rush order, to reengrossment, and to the Assembly third-reading file.

REPORT OF STANDING COMMITTEE (OUT OF ORDER).

The Committee on Ways and Means was granted leave to submit (out of order) the following report, which was read:

ON WAYS AND MEANS.

(Relative to adjournment.)

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Concurrent Resolution No. 2—Relative to adjournment—have had the same under consideration, and respectfully report the same back with amendments, and recommend that the same do pass as amended.

STANTON, Chairman.

The Committee on Ways and Means submitted the following amendment to Senate Concurrent Resolution No. 2, which was read:

Amend by striking out the words, "ten o'clock p. m. on Saturday, June 9th," and inserting in lieu thereof the following: "twelve o'clock m. Tuesday, June 12th."

RESOLUTION AS AMENDED ADOPTED.

Mr. Bates moved the adoption of the resolution.

The resolution as amended was put to vote and declared unanimously adopted.

The resolution as amended was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE—(OUT OF ORDER).

The Committee on Rules was granted leave to submit (out of order) the following report and resolution, which were read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Rules and Regulations report the following rule and procedure, and recommend its adoption.

Resolved, That the sessions of this house begin at 10 A. M., and at 12:30 P. M. a recess be taken until 2 P. M., and at 5 P. M. a recess be taken to 8 o'clock P. M.

And further, That no bill be acted upon after adjournment of evening session on Monday, June 11, 1906.

Mc CARTNEY, Chairman.

On motion of Mr. McCartney, the report and resolution were adopted.

BILLS CONSIDERED.

Bills which were made special orders under urgency resolutions, and others on Assembly and Senate files, were called up and considered, as follows:

Committee Substitute for Senate Bill No. 64 (No. 46 on file)—An Act to provide for the establishment and quieting of title to real property in case of the loss or destruction of public records.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burke, Busick, Chandler, Coghlan, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Transue, Trendwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—Messrs. Burge, Cleveland, and Cooper—3.

Title read and approved.

Committee Substitute for Senate Bill No. 64 was ordered transmitted to the Senate.

Assembly Bill No. 78 (No. 36 on file)—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Bill read second time.

Assembly Bill No. 78 (No. 36 on file)—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meineke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—61.

NOES—None.

Title read and approved.

Assembly Bill No. 78 was ordered transmitted to the Senate.

Senate Bill No. 65 (ordered on file)—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read second time.

MOTION.

Mr. Drew moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 65.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 65 was considered in Committee of the Whole.

Mr. Drew offered the following amendments, which were read:

AMENDMENT NO. 1.

Amend by adding after the word "California," in line 5 of the printed bill, the words "and the University Cadets."

Amendment adopted.

AMENDMENT NO. 2.

Amend by adding after the word "California," in line 3 of the title of the printed bill, the words "and the University Cadets."

Amendment adopted.

Mr. Drew moved that the Committee of the Whole rise and report back that Senate Bill No. 65 do pass as amended.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906—and do now report the same back with amendments, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

On motion of Mr. Drew, Senate Bill No. 65 was ordered to print with a rush order, and made a special order for eight o'clock this evening.

Assembly Bill No. 59 (No. 34 on file)—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read second time.

MOTION.

Mr. Drew moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 59.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 59 was considered in Committee of the Whole.

Mr. Drew offered the following amendments, which were read:

AMENDMENT No. 1.

Amend by inserting in line 3 of the title after the word "California," as follows: "and University Cadets."

Amendment adopted.

AMENDMENT No. 2.

Amend, on line 5, page 1, printed bill, by inserting after the word "California," as follows: "and University Cadets."

Amendment adopted.

The Committee on Ways and Means submitted the following amendments, which were read:

AMENDMENT No. 1.

By inserting on line 2, printed bill, after the figures "\$500,000.00," as follows: "or so much thereof as may be necessary."

Amendment lost.

AMENDMENT No. 2.

In Section 2, line 2, page 1, of printed bill, after the word "this," as follows: "Act."

Amendment lost.

Mr. Drew moved that the Committee of the Whole rise, and report back favorably Assembly Bill No. 59 as amended.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May, and June, 1906—and do now report the same back with amendments, and recommend that the same do pass as amended.

ATKINSON, Chairman.

Report adopted.

On motion of Mr. Drew, Assembly Bill No. 59 was ordered to print with a rush order, to re-engrossment, and made a special order to follow other special orders set for this evening.

Senate Bill No. 68 (ordered on file)—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Bill read second time.

MOTION.

Mr. Strobridge moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 68.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 68 was considered in Committee of the Whole.

Mr. Strobbridge moved that the Committee of the Whole rise and report back Senate Bill No. 68, with a recommendation that it do pass. Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 68—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy, and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 68 (ordered on file)—An Act appropriating twenty-five hundred (\$2500) dollars to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Thompson, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 68 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bill correctly reengrossed:

Assembly Bill No. 67—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

DEVLIN, Chairman.

* CONSIDERATION OF BILLS—(RESUMED).

The consideration of bills made special orders and those on Assembly and Senate files was resumed, and bills acted on as follows:

Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read second time.

MOTION.

Mr. Bates moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 76.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 76 was considered in Committee of the Whole.

Mr. Bates moved that the Committee of the Whole rise and report back Senate Bill No. 76, with recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 76—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 76 (ordered on file)—An Act appropriating twenty-five hundred (\$2500) dollars to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, McCartney, McGowan, McKenney, Meincke, Mitcheltree, Moore, O'Brien, Perkins, Pryor, Pyle, Slaven, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—52.

NOES—Mr. Coghillan—1.

Title read and approved.

Senate Bill No. 76 was ordered transmitted to the Senate.

Senate Bill No. 73 (No. 59 on file)—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. Treadwell moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 73.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 73 was considered in Committee of the Whole.

The Committee on Ways and Means submitted the following amendments, which were read:

AMENDMENT No. 1.

Amend by striking out the words "not more than" in Section 5, on line 8, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 2.

Amend by striking out the word "after" in Section 5, line 9, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 3.

Amend by striking out all of Section 6, page 3, printed bill.

Amendment adopted.

AMENDMENT No. 4.

Adding two new sections:

"SEC. 6. This Act is hereby exempt from the provisions of the Building Act, approved March 23, 1876, and all Acts amendatory thereof and supplemental thereto."

"SEC. 7. This Act shall take effect, and be in force from and after July 1st, 1906."

Amendment adopted.

Mr. Treadwell moved that the Committee of the Whole rise and report back Senate Bill No. 73, with recommendation that it do pass as amended.

So ordered.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site, or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building, or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of State government of the State of California maintaining headquarters in the City of San Francisco, and making an appropriation therefor—and do now report the same back with amendments, and recommend that it do pass as amended.

ATKINSON, Chairman.

Report adopted.

On motion of Mr. Stanton, the bill was sent to print with a rush order, and made a special order to follow other special orders set for this evening.

On motion of Mr. Stanton, Assembly Bill No. 81 was made a special order for this evening to follow Senate Bill No. 73.

THIRD-READING SPECIAL SENATE FILE.

Bills on the third-reading special* file of Senate bills were taken up.
Senate Bill No. 32 (No. 47 on file)—An Act to amend Section 1617 of the Political Code, relating to public schools.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Cromwell, Cullen, Devlin, Drew, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Jarvis, John, Johnson, Lucey, Lumley, Lynch, McCartney, McGowan, McNamara, Meincke, Moore, Perkins, Pfaefle, Pyle, Rolley, Severance, Slaven, Stanton, Strohl, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 32 was ordered transmitted to the Senate.

PASSED AS URGENCY.

The following bill was called up, in accordance with the urgency resolution previously adopted:

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Bill read second time.

MOTION.

Mr. McGowan moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 57.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 57 was considered in Committee of the Whole.

Mr. McGowan moved that the Committee of the Whole rise and report the bill back, with recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Hon. Thomas E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor—and do now report the same back, and recommend that the same do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 57—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged

property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Arnerieh, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Coghlan, Cullen, Devlin, Drew, Hawkins, Held, Houser, Jarvis, John, Johnson, Lucey, Lynch, McCartney, McGowan, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pyle, Rolley, Severance, Slaven, Stanton, Strohl, Thompson, Treadwell, Walsh, Weyand, Whiting, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Senate Bill No. 57 was ordered transmitted to the Senate.

ASSEMBLY SECOND-READING FILE.

Bills on second-reading Assembly file were called up and acted on, as follows:

Assembly Bill No. 37—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

In lines 8 and 9 strike out the words "provisions of article 7, chapter 5, part 4, of this Code," and insert in lieu thereof the following: "any provision of law."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

On page 2, lines 23 and 24, strike out the words "provisions of article 7, chapter 5, part 4, of this Code," and insert in lieu thereof the following: "any provision of law."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Before the word "entitled," in line 23, page 2, insert the words "order and certified copy of the record thereof."

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

In line 8, page 1, insert the words "order and certified copy of the record thereof."

Amendment adopted.

On motion of Mr. Treadwell, Assembly Bill No. 37 was ordered to print with a rush order, and to third reading.

Assembly Bill No. 38 (No. 21 on file)—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Bill read second time.

The Committee on Judiciary submitted the following amendments, which were read:

COMMITTEE AMENDMENT No. 1.

In line 1, page 2, Section 3 of the printed bill, strike out the words "into which said affidavits have been incorporated, shall be as effectual for any and every purpose as the," and insert in lieu thereof the following: "copied and authenticated as above provided, shall be prima facie evidence of the contents of the."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

After line 13, Section 2, page 2 of the printed bill, insert the following: "Said book, document, map or record shall also be authenticated under the hand of the officer having the custody thereof, to the effect that the same is a true copy of the original book, document, map or record so damaged."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

In line 3, Section 4, page 2, strike out the word "the" the last time it occurs.

Amendment adopted.

COMMITTEE AMENDMENT No. 4.

In lines 3 and 4, Section 1, page 1 of the printed bill, strike out the words "mutilated or otherwise."

Amendment adopted.

COMMITTEE AMENDMENT No. 5.

In line 5 of the title strike out the words "or mutilated."

Amendment adopted.

Assembly Bill No. 38, on motion of Mr. Treadwell, was ordered to print with a rush order and to third reading.

Assembly Bill No. 60 (No. 29 on file)—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling, and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Cromwell moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 60.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 60 was considered in Committee of the Whole.

The Committee on Ways and Means submitted the following amendment, which was read:

Amend by striking out the words and figures "twenty-five hundred (\$2500.00)" in line 1, page 1, printed bill, and inserting in lieu thereof the following: "five hundred (\$500.00)."

Amendment adopted.

Mr. Cromwell moved that the committee rise and report the bill back, with recommendation that it do pass as amended.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year—and do now report the same back with an amendment, and recommend that it do pass as amended.

ATKINSON, Chairman.

Report adopted.

On motion of Mr. Cromwell, Assembly Bill No. 60 was ordered to print with a rush order and to third reading.

Assembly Bill No. 79, Committee Substitute for Assembly Bills Nos. 35 and 36 (No. 37 on file)—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Bill read second time.

Assembly Bill No. 79, Committee Substitute for Assembly Bills Nos. 35 and 36 (No. 37 on file)—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Boyle, Branstetter, Burge, Busick, Chandler, Cleveland, Coghlan, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Assembly Bill No. 79 was ordered transmitted to the Senate.

Assembly Bill No. 76 (No. 43 on file)—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Bill read second time.

MOTION.

Mr. McGowan moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 76.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 76 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain

records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 76 (No. 43 on file)—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Boyle, Branstetter, Burge, Burke, Chandler, Cleveland, Coyle, Cromwell, Cullen, Devlin, Drew, Gans, Gates, Goodrich, Hawkins, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lynch, McCartney, McGowan, McKenney, McNamara, Meineke, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Assembly Bill No. 76 was ordered transmitted to the Senate.

RULES SUSPENDED.

On motion of Mr. Stanton, the rules were suspended and unanimous permission given to the Committee on Ways and Means to introduce a bill without reference to the Committee on Introduction of Bills.

INTRODUCTION OF BILL.

By Committee on Ways and Means: Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read first time.

MADE SPECIAL ORDER.

On motion of Mr. Stanton, Assembly Bill No. 82 was ordered to print with a rush order, and made a special order for further action at the evening session.

BILLS UNDER URGENCY RESOLUTION—(RESUMED).

The consideration of bills under the urgency resolution previously adopted was called, and bills acted on as follows:

Committee Substitute for Senate Bill No. 56 (No. 56 on file)—An Act to add a new section to the Political Code of the State of California, to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

Bill read second time.

The Committee on Education submitted the following amendments, which were read:

COMMITTEE AMENDMENT NO. 1.

Amend by inserting after word "calamity," on line 18, page 2, the words "or whereof, by reason of such conflagration or calamity the regular session or attendance of such

district or high school has been interrupted and its average attendance materially affected thereby."

Amendment adopted.

COMMITTEE AMENDMENT No. 2.

Amend on page 2 of the printed bill, line 25, by striking therefrom the word "three," and inserting in lieu thereof the word "five."

Amendment adopted.

COMMITTEE AMENDMENT No. 3.

Amend the printed bill on page 2, line 26, by striking therefrom the figure "3" where it occurs in parentheses on such line and inserting in lieu thereof the figure "5."

Amendment adopted.

On motion of Mr. Slaven, Committee Substitute for Senate Bill No. 56 was ordered to print and made a special order for eight o'clock this evening.

Senate Bill No. 59 (No. 57 on file)—An Act to amend Section 2528 of the Political Code of the State of California, relating to disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read second time.

Senate Bill No. 59—An Act to amend Section 2528 of the Political Code of the State of California, relating to the disposition of moneys collected by the Board of State Harbor Commissioners.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Coyle, Cromwell, Dorsey, Drew, Ells, Gates, Goodrich, Hartman, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Severance, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Wickersham, and Mr. Speaker—50.
 NOES—None.

Title read and approved.

Senate Bill No. 59 was ordered transmitted to the Senate.

SENATE MESSAGES.

On motion of Mr. Stanton, Senate messages were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to concur in Assembly amendment to Senate Concurrent Resolution No. 2, and respectfully asks your honorable body to recede from the said amendment.

LEWIS A. HILBORN, Secretary of Senate.
 By J. W. KAVANAGH, Assistant Secretary.

RESOLUTION TO REFUSE TO RECEDE.

By Mr. Stanton:

Resolved, That the Assembly refuse to recede from its amendment to Senate Concurrent Resolution No. 2, that the Speaker be instructed to appoint a committee of three on conference, and that the Senate be requested to appoint a like committee to meet with the Assembly committee.

On motion of Mr. Stanton, the resolution was unanimously adopted.

SENATE MESSAGES—(RESUMED).

SENATE CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 29—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Also: Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAUGH, Assistant Secretary.

Senate Bill No. 29 was read first time, and referred to Committee on Judiciary.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Senate Bill No. 81 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Coghlan, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Gans, Goodrich, Hawkins, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaeffle, Pryor, Pyle, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read first time.

Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Ells moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Senate Bill No. 81.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Senate Bill No. 81 was considered in Committee of the Whole.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 9, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Senate Bill No. 81—An Act making an appropriation for the contingent expenses of the Senate for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, John, Johnson, Jones of Tnolumne, Jury, Lucey, Lumley, McCartney, McGowan, McKenney, McNamara, Meincke, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Thompson, Transue, Vogel, Weyand, Whiting, Wickersham and Mr. Speaker—53.

NOES—None.

Title read and approved.

Senate Bill No. 81 was ordered transmitted to the Senate.

SENATE MESSAGES.

SENATE CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 61 was read the first time, and ordered on special file of Senate bills without reference to a committee.

BILLS ON THIRD-READING FILE.

Bills on third-reading file were acted on, as follows:

Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Drew, Ells, Gans, Gates, Hawkins, Held, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Assembly Bill No. 25 was ordered transmitted to the Senate.

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read second time.

Senate Bill No. 36—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension by the State Board of Equalization of the time in which certain boards and officials shall perform certain acts.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beckett, Boyle, Branstetter, Burge, Burke, Busiek, Chandler, Cleveland, Cooper, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Ells, Gans, Gates, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lumley, McCartney, McGowan, McNamara, Meincke, Mintham, Mitchellree, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Slaven, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 36 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following reports, which were read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bill correctly engrossed:

Assembly Bill No. 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

DEVLIN, Chairman.

Also:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 27—An Act to add a new section to the Code of Civil Procedure to be known as Section 901a, relating to executions issuing out of justices' courts.

Also: Assembly Bill No. 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Also: Assembly Bill No. 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

And presented the same to the Governor on this day at four o'clock and fifty minutes p. m.

DEVLIN, Chairman.

BILLS WITHDRAWN.

Mr. McGowan requested, and was granted, permission to withdraw the following bills:

- Assembly Bill No. 70 (No. 4 on file).
- Assembly Bill No. 28 (No. 6 on file).
- Assembly Bill No. 47 (No. 7 on file).
- Assembly Bill No. 34 (No. 10 on file).
- Assembly Bill No. 26 (No. 11 on file).
- Assembly Bill No. 32 (No. 15 on file).
- Assembly Bill No. 41 (No. 17 on file).
- Assembly Bill No. 21 (No. 19 on file).
- Assembly Bill No. 44 (No. 25 on file).
- Assembly Bill No. 46 (No. 26 on file).
- Assembly Bill No. 52 (No. 31 on file).
- Assembly Bill No. 57 (No. 32 on file).
- Assembly Bill No. 50 (No. 27 on file).
- Assembly Bill No. 51 (No. 28 on file).
- Assembly Bill No. 15 (No. 40 on file).
- Assembly Bill No. 71 (No. 41 on file).

RECESS.

At five o'clock P. M. Hon. Thos. E. Atkinson, Acting Speaker, declared a recess of the Assembly until eight o'clock P. M. this day.

EVENING SESSION.

The Assembly reconvened at eight o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

THIRD-READING FILE.

Bills on third-reading file were called up and considered, as follows: Assembly Bill No. 14 (No. 5 on file)—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Beardslee, Beckett, Boyle, Braustetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Lumley, Lynch, McCartney, McGowan, McKenney, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Stobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 14 was ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Assembly Bill No. 59—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University cadets, called into service by order of the Governor in the months of April, May and June, 1906.

DEVLIN, Chairman.

The Committee on Judiciary was granted leave to submit (out of order) the following report, which was read:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Senate Bill No. 79—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity—report the same back, with the recommendation that it do pass.

Also: Committee Substitute for Senate Bill No. 69—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents,

which have been lost or destroyed by conflagration or other public calamity—report the same back, with the recommendation that it do pass.

Also: Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations—report the same back without recommendation.

Also: Assembly Bill No. 31—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, by the Commissioner of Public Works under an Act of the Legislature approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

Also: Assembly Bill No. 40—An Act to restore records or titles to real property which have been or may hereafter be lost, injured or destroyed by conflagration or other public calamity, and to quiet the title to the owners of such real property.

Also: Assembly Bill No. 42—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1952, relating to evidence.

Also: Assembly Bill No. 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California, by adding a new section thereto, to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or banking institution.

Also: Assembly Bill No. 65—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments or evidences of indebtedness, policies of insurance, and certificates of stock or shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Also: Assembly Bill No. 24—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, by amending Sections 2, 4, and 9 thereof.

Also: Assembly Bill No. 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, when the same has been destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 30—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

Also: Assembly Bill No. 68—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 751a, relating to evidence in actions.

And report all of the same back, with the recommendation that the authors withdraw the same.

Also: Senate Bill No. 72—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments or evidences of indebtedness, policies of insurance, and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Also: Assembly Constitutional Amendment No. 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof, by adding thereto a new section to be numbered two, relating to State indebtedness, etc.

Also: Assembly Bill No. 72—An Act to amend an Act requiring the payment into the State Treasury of moneys belonging to the State received by various State institutions, etc.

And report the same back without recommendation.

BURKE, Acting Chairman.

BILLS WITHDRAWN.

Mr. McGowan requested, and was granted, leave to withdraw Assembly Bills Nos. 31, 40, 42, 30, 24, and 47.

URGENCY RESOLUTION.

By Mr. Treadwell:

Resolved, That Assembly Bills Nos. 45, 35, and 59 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the first, second and third times, and placed upon their passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Cromwell, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, John, Jones of San Francisco, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Stanton, Strobridge, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

URGENCY RESOLUTION BILLS PASSED.

Bills were called up and considered as follows under urgency resolution previously adopted:

Senate Bill No. 47 (No. 55 on file)—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Burke, Busick, Chandler, Cleveland, Coyle, Cromwell, Cullen, Devlin, Dorsey, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, John, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Prior, Pile, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 47 was ordered transmitted to the Senate.

Committee Substitute for Senate Bill No. 56 (No. 56 on file)—An Act to add a new section to the Political Code of the State of California to be known as Section 1696a, relating to substitution for school records or contents of school teachers' registers which may have been or shall hereafter be destroyed by conflagration or other public calamity, and providing for the count of average daily attendance in certain high schools and school districts.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jury, Lynch, McCartney, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 56 was ordered transmitted to the Senate.

CONFERENCE COMMITTEE APPOINTED.

Hon. Thos. E. Atkinson, Acting Speaker, announced the appointment of Messrs. Coghlan, Amerige, and Dorsey as the Committee on Conference to meet with a similar committee from the Senate on the concurrent resolution relative to *sine die* adjournment of Legislature.

BILLS UNDER URGENCY RESOLUTION—(RESUMED).

Bills under urgency resolution previously adopted were considered, as follows:

Senate Bill No. 34 (No. 60 on file)—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read second time.

Senate Bill No. 34 (No. 60 on file)—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burge, Burke, Coghlan, Coyle, Cullen, Devlin, Dorsey, Drew, Duryea, Ellis, Gans, Goodrich, Hawkins, Held, Jarvis, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, McCartney, McGowan, McKenney, Meincke, Mindham, Mitchellree, Moore, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—52.

NOES—Messrs. Lumley and Lynch—2.

Title read and approved.

Senate Bill No. 34 was ordered transmitted to the Senate.

Senate Bill No. 72 (No. 62 on file)—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Bill read second time.

Senate Bill No. 72 (No. 62 on file)—An Act relating to lost or destroyed bonds, debentures, certificates of deposit, acknowledgments, or evidences of indebtedness, policies of insurance and certificates of stock or of shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beckett, Boyle, Burke, Busick, Chandler, Cleveland, Coghlan, Cullen, Devlin, Drew, Ellis, Gans, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lumley, Lynch, McCartney,

McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No 72 was ordered transmitted to the Senate.

Committee Substitute for Senate Bill No. 69 (No. 63 on file)—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

Bill read second time.

Committee Substitute for Senate Bill No. 69 (No. 63 on file)—An Act to amend the Civil Code by adding a new section thereto to be known as Section 365, relating to the records, books, bonds, and certificates of stock of corporations, or other papers or documents, which have been lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burke, Busick, Chandler, Coghlan, Cullen, Devlin, Drew, Duryea, Ells, Gans, Goodrich, Hawkins, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lumley, Lynch, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pryor, Pyle, Severance, Slaveu, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 69 was ordered transmitted to the Senate.

Senate Bill No. 79 (No. 64 on file)—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Bill read second time.

Senate Bill No. 79 (No. 64 on file)—An Act to add a new section to the Civil Code, to be numbered 297a, relating to articles of incorporation lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Cleveland, Coghlan, Coyle, Cullen, Devlin, Dorsey, Drew, Duryea, Ells, Gaus, Goodrich, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, McCartney, McKenney, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

Title read and approved.

Senate Bill No. 79 was ordered transmitted to the Senate.

THIRD-READING SENATE FILE.

Bills on the third-reading Senate file were called up and acted on, as follows:

Senate Bill No. 35 (No. 48 on file)—An Act to add a new section to the Code of Civil Procedure, to be known as Section 901a, relating to executions issuing out of justices' courts.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Boyle, Burke, Busick, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Goodrich, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Perkins, Pryor, Pyle, Rolley, Severance, Stanton, Strohl, Thompson, Transue, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Senate Bill No. 35 was ordered transmitted to the Senate.

Senate Bill No. 37 (No. 49 on file)—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—None.

NOES—Messrs. Arnerich, Beardslee, Boyle, Burke, Busick, Chandler, Cleveland, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Hartman, Hawkins, Held, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Walsh, Weyand, Whiting, Wickersham, and Mr. Speaker—48.

BILLS UNDER URGENCY RESOLUTION—(RESUMED).

Bills under urgency resolution previously adopted were called up and considered, as follows:

Senate Bill No. 19 (ordered placed on file)—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding two new sections thereto, to be known as Sections 10a and 10b, relating to a license tax upon corporations, and making provision for settling the affairs of corporations where said tax has not been paid, and providing a penalty for the violation thereof.

Bill read second time.

Senate Bill No. 19—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding two new sections thereto, to be known as Sections 10a and 10b, relating to a license tax upon corporations, and making provision for settling the affairs of corporations where said tax has not been paid, and providing a penalty for the violation thereof.

Bill read third time.

MOTION FOR SELECT COMMITTEE LOST.

Mr. Pryor moved that a select committee of one be appointed to amend Senate Bill No. 19, as follows:

Strike out the word "twenty" in line 9, page 2, printed bill, and insert in lieu thereof the word "ten."

Motion lost.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bill correctly engrossed:

Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged by conflagration or other public calamity.

DEVLIN, Chairman.

BILLS UNDER URGENCY RESOLUTION—(RESUMED).

Consideration of urgency bills under resolution were taken up and considered, as follows:

The question being on the final passage of Senate Bill No. 19.

The roll was called, and the bill finally passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Burke, Busick, Chandler, Coyle, Cromwell, Cullen, Devlin, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Held, Houser, Jarvis, Jones of Tuolumne, Jones of San Francisco, Lucey, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, O'Brien, Perkins, Pyle, Severance, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—45.

NOES—Messrs. Branstetter, Cleveland, Drew, Hawkins, Johnson, Lumley, Lynch, Moore, Olmsted, Pryor, and Slaven—11.

Title read and approved.

Senate Bill No. 19 was ordered transmitted to the Senate.

Assembly Bill No. 38 (No. 21 on file)—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coyle, Cromwell, Cullen, Drew, Duryea, Ells, Gans, Gates, Hartman, Held, Houser, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, McNamara, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Severance, Slaven, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Wyand, Whiting, Wickersham, and Mr. Speaker—53.

NOES—None.

Title read and approved.

Assembly Bill No. 38 was ordered transmitted to the Senate.

NOTICE OF RECONSIDERATION CONTINUED.

Mr. Hartman called up his notice of motion for reconsideration given on the previous day, to reconsider the vote whereby Assembly Constitutional Amendment No. 5 was refused adoption.

On motion of Mr. Treadwell, further consideration of the motion to reconsider was postponed until the next legislative day on which session may be held.

BILL WITHDRAWN.

Mr. Treadwell requested, and was granted, leave to withdraw Assembly Bill No. 64 (No. 30 on file).

ASSEMBLY THIRD-READING FILE.

Bills on the Assembly third-reading file were called up and acted on, as follows:

Assembly Bill No. 59 (No. 34 on file)—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University Cadets, called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read third time.

The question being on the passage of the bill

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Chandler, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Gates, Hawkins, Held, Houser, Johnson, Jones of Tuolumne, Jones of San Francisco, Lumley, Lynch, McCartney, McGowan, McKenney, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Stanton, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 59 was ordered transmitted to the Senate.

MADE SPECIAL ORDER.

On motion of Mr. Treadwell, Senate Bill No. 73, included in urgency resolution previously adopted, was made a special order immediately after the reading of the Journal on the next legislative day on which session may be held.

SPECIAL FILE OF SENATE BILLS.

Bills on second-reading special file of Senate bills were called up and acted on, as follows:

Senate Bill No. 40—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read second time, and ordered to third reading on special file of Senate bills.

SENATE MESSAGES.

Senate messages were ordered taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of public records or documents lost or destroyed by conflagration or other public calamity.

Also: Passed Senate Bill No. 78—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Assembly Bill No. 11 was ordered to enrollment.

Senate Bill No. 78 was read the first time, and ordered to second reading on the special file of Senate bills.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment beg leave to report that they have examined and found the following bills correctly engrossed:

Assembly Bill No. 37—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

DEVLIN, Chairman.

BILLS UNDER URGENCY RESOLUTION—(RESUMED).

The further consideration of bills under urgency resolution previously adopted were called up and acted on, as follows:

Assembly Bill No. 37 (No. 20 on file)—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Gates, Goodrich, Hawkins, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lumley, McCartney, McGowan, McKenney, McNamara, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Stanton, Strobbridge, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—47.

NOES—None.

Title read and approved.

Assembly Bill No. 37 was ordered transmitted to the Senate.

ASSEMBLY THIRD-READING FILE—(RESUMED).

Assembly Bill No. 63 (ordered on file)—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Chandler, Coyle, Cromwell, Cullen, Devlin, Duryea, Ellis, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, John, Jones of Tuolumne, Lumley, Lynch, McCartney, McGowan, McNamara, Meincke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Slaven, Stanton, Strobbridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—49.

NOES—None.

Title read and approved.

Assembly Bill No. 63 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The Committee on Education submitted the following report, which was read:

ON EDUCATION.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Education, to whom was referred Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

Also: Senate Bill No. 38—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

Have had the same under consideration, and respectfully report the same back without recommendation.

SLAVEN, Chairman.

THIRD READING OF BILL.

Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coyle, Cromwell, Cullen, Devlin, Duryea, Ells, Gans, Gates, Goodrich, Hawkins, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lynch, McGowan, McKenney, McNamara, Meineke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Slaven, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—50.

NOES—None.

Title read and approved.

Assembly Bill No. 60 was ordered transmitted to the Senate.

REPORT OF CONFERENCE COMMITTEE.

The Committee on Conference submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: Your Committee on Conference, concerning Senate Concurrent Resolution No. 2, beg to report that your committee has met with a like committee from the Senate and agreed that the two houses adjourn *sine die* at twelve o'clock noon, Tuesday, June 12, 1906.

COGHLAN, Chairman.
DORSEY.
AMERIGE.

REPORT ADOPTED.

On motion of Mr. Drew, the report of the Committee on Conference was adopted.

MOTION TO ADJOURN.

Mr. Busick moved that the Assembly do now adjourn until Monday morning next at ten o'clock.

Motion lost.

ACTION ON BILLS UNDER URGENCY RESOLUTION.

Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for

the purpose of affecting, affirming or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

Bill read second time.

Assembly Bill No. 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801*a*, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Cullen, Devlin, Dorsey, Drew, Gans, Goodrich, Houser, John, Jones of Tuolumne, Jones of San Francisco, Lucey, McGowan, McNamara, Meineke, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Strobbridge, Strohl, Transue, Treadwell, Weyand, Whiting, Wickersham, and Mr. Speaker—41.

NOES—Messrs. Lumley and McKenney—2.

Title read and approved.

Assembly Bill No. 45 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The Committee on Contingent Expenses and Accounts submitted the following resolution, which was read, and, on motion of Mr. Cromwell, was adopted:

Resolved, That the Controller be and he is hereby directed to draw his warrant on the Contingent Fund of the Assembly, and the State Treasurer is hereby authorized to pay the same, for the sum of two hundred and fifteen and fifty-one one hundredths dollars, in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, to pay for articles, as per attached bills:

Sunset Telephone and Telegraph Company	\$8 50
Capital-Sacramento Transfer, Van and Storage Company	1 50
R. O. Kimbrough	4 73
E. Keubler	24 00
A. J. Johnston Company	60 00
F. R. Pulford	49 80
L. B. Cummings	4 00
Capital Furniture Company	2 50
Scott, Lyman & Stack	20 35
Scott, Lyman & Stack	11 50
R. M. Richardson, Postmaster	1 20
Kane-Trainer Ice Company	8 00
Capital Telephone and Telegraph Company	13 50
John Breuner Company	5 93
Total	\$215 51

RECESS.

At eleven o'clock and twenty-five minutes P. M., on motion of Mr. McGowan, a recess of the Assembly was declared for fifteen minutes, pending action by the Senate on the report of Conference Committee.

RECONVENED.

The Assembly reconvened at eleven o'clock and forty minutes P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

The Acting Speaker informed the Assembly that the Senate had concurred in the report of the Conference Committee.

ADJOURNMENT.

On motion of Mr. Rolley, at eleven o'clock and forty-five minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, declared the Assembly adjourned until to-morrow (Sunday), June 10, 1906, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Sunday, June 10, 1906.

The Assembly met, pursuant to adjournment, this Sunday, June 10, 1906, at ten o'clock A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Arnerich, Bates, Beardslee, Branstetter, Burge, Cleveland, Coghlan, Cooper, Creighton, Cromwell, Cullen, Devlin, Gans, Gates, Hawkins, Held, John, Jones of Tuolumne, Lynch, Meincke, Moore, Olmsted, Perkins, Pyle, Strohl, Treadwell, Vogel, Weyand, and Mr. Speaker—30.

No quorum.

ADJOURNED FOR WANT OF QUORUM.

The roll call showing that there was no quorum present, Hon. Thos. E. Atkinson, Acting Speaker, declared the Assembly adjourned until to-morrow, Monday, June 11, 1906, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER,

Monday, June 11, 1906.

The Assembly met, pursuant to adjournment, this Monday, June 11, 1906, at ten o'clock A. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Cul-

Ien, Devlin, Drew, Ellis, Gais, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—64.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were granted to Messrs. Estudillo, Espey, Slaven, King, and Walsh.

Messrs. McNamara and Bliss were excused for one hour.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING OF JOURNALS.

During the reading of the Journals of June 9 and 10, 1906, on motion of Mr. Pfaffle the further reading was dispensed with.

Action on the approval of the Journal of Friday, June 8, 1906, was ordered continued, to be taken up during the afternoon session of this day.

SPECIAL ORDERS.

The file of special orders was taken up and bills acted on, as follows:

Assembly Constitutional Amendment No. 2 (No. 1 on file)—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2.

(As amended in Assembly June 8, 1906.)

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that article eleven of the Constitution of the State of California be amended by adding a new section thereto, to be known as and numbered twenty, and to read as follows:

Section 20. For and during the period of two years from the date of the adoption hereof, the City and County of San Francisco, by ordinance adopted by a two-thirds vote of its board of supervisors and approved by its mayor, may acquire, by purchase, condemnation, or donation, lands to be used for streets, parks, boulevards, reservoirs or esplanades, or may acquire, by purchase, condemnation or donation, lands to be exchanged for lands to be used for streets, parks, boulevards, reservoirs or esplanades, and may sell, or may exchange, lands now used or hereafter to be acquired by it for streets, parks, boulevards, reservoirs, or esplanades for other lands to be used for the same or similar purposes; and may sell, or exchange for other lands to be used for the same, or similar purposes, any lands now or heretofore used by it, as sites for public or municipal buildings, and may change, widen or extend the lines of its streets; and, where made necessary by the changing, widening, extension,

or closing, in whole or in part of any such streets, may change the lines or routes of any pipe, pipe lines, conduits, wires or railways heretofore constructed or laid under any privilege or franchise now held or enjoyed by any person, firm or corporation in or upon any of such streets, and may alter the terms of any privilege or franchise now or heretofore held or enjoyed by any person, firm or corporation, on any street so changed, widened, extended or closed, only to the extent of changing the lines or routes of any such pipe, pipe lines, conduits, wires or railways: *provided*, that no lands now owned or hereafter acquired by said City and County of San Francisco shall be sold or exchanged unless such sale or exchange shall first be authorized by a majority of the voters of said city and county voting thereon, at a special election called for the purpose of such authorization, but this shall not be construed to prevent any exchange of such lands acquired by the said city and county after the date of the adoption by the legislature of the resolution submitting this amendment to the people, for street purposes as herein provided: *provided, further*, that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions hereof, *and also provided* that nothing in this section contained shall be so construed as to confer upon the board of supervisors any power or authority, beyond that at this date possessed by it, to extend the term or time of existence, or conditions, of any privilege or franchise. In all cases proper compensation shall be allowed for all property or rights taken, acquired, or affected by such action. No property or rights shall be taken without the consent and concurrence of persons owning the same, except under the right of eminent domain and according to law.

Mr. Treadwell offered the following amendments, which were read:

AMENDMENT No. 1.

Amend by adding at the end of the line 53 the following: "*provided*, that the City and County of San Francisco, by ordinance adopted as above, may at any time within two years from the adoption of this amendment, donate to the State of California, any lot of land now owned or hereafter acquired by said city and county as a site for the erection of a building for State officers in said city and county, or may lease to said State for a term not exceeding ninety-nine years a lot for that purpose."

Amendment adopted.

AMENDMENT No. 2.

Also: Strike out of line 25 of the printed resolution the words "any privilege or franchise now held or enjoyed," and insert in lieu thereof the following: "the privilege granted by Section 19 of Article XI of this Constitution."

Amendment adopted.

AMENDMENT No. 3.

Also: Strike out of line 27 the words "privilege or franchise," and insert in lieu thereof the words "such privilege."

Amendment adopted.

AMENDMENT No. 4.

Also: Strike out of line 32 the words "or hereafter acquired."

Amendment adopted.

On motion of Mr. Treadwell Assembly Constitutional Amendment No. 2 was ordered sent to print with a rush order, to retain its place on the file, and be taken up when returned from the printer as amended.

URGENCY RESOLUTION.

By Mr. Stanton:

Resolved, That Assembly Bill No. 82 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Amerige, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 82 (No. 2 on file)—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 82.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 82 was considered in Committee of the Whole.

Mr. Stanton moved that the committee rise and report back Assembly Bill No. 82, with the recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 82—An Act making an appropriation to pay the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 82 (No. 2 on file)—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty seventh fiscal year.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Chandler, Cleveland, Cooper, Coyle, Cullen, Devlin, Drew, Ells, Gans, Gates, Goodrich, Hawkins, Held, Houser, Jarvis, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—None.

Title read and approved.

Assembly Bill No. 82 was ordered transmitted to the Senate.

SPECIAL ORDERS—(RESUMED).

Senate Bill No. 73 (No. 3 on file)—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said city of San Francisco, and making an appropriation therefor.

Bill read third time.

CALLED TO THE CHAIR.

At ten o'clock and thirty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Held to the chair.

The question before the Assembly being on the final passage of Senate Bill No. 73.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Aimerigc, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Chandler, Cleveland, Coghlan, Cooper, Coyle, Cromwell, Cullen, Devlin, Drew, Ells, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—59.

NOES—Messrs. Busick, Creighton, Gans, Gates, Lynch, and O'Brien—6.

Title read and approved.

Senate Bill No. 73 was ordered transmitted to the Senate.

RESUMED THE CHAIR.

At ten o'clock and fifty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

ASSEMBLY SECOND-READING FILE.

On motion of Mr. Stanton, Assembly Bill No. 81 (No. 22 on the Assembly second-reading file) was called up in accordance with motion on previous legislative day.

Assembly Bill No. 81 (No. 22 on file)—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State Government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

Bill read second time.

MOTION.

Mr. Stanton moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Assembly Bill No. 81.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Assembly Bill No. 81 was considered in Committee of the Whole.

Mr. Stanton moved that the Committee of the Whole rise and report back Assembly Bill No. 81. with recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State Government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman.

Report adopted.

Assembly Bill No. 81 (No. 22 on file)—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State Government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Chandler, Coghlan, Cooper, Coyle, Creighton, Cronwell, Cullen, Devlin, Drew, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, Olmsted, Perkins, Pfaefle, Pryor, Pyle, Rolley, Severance, Stanton, Strobidge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—52.

NOES—None.

Title read and approved.

Assembly Bill No. 81 was ordered transmitted to the Senate.

SUBSTITUTION OF CONSTITUTIONAL AMENDMENTS.

On motion of Mr. Treadwell, Senate Constitutional Amendment No. 2 (No. 26 on the special file of Senate bills) was called up, and substituted for Assembly Constitutional Amendment No. 5 (No. 4 on the file of special orders).

Senate Constitutional Amendment No. 2 was read, as follows:

SENATE CONSTITUTIONAL AMENDMENT NO. 12.

A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Resolved, by the Senate, the Assembly concurring, That the Legislature of the State of California, at its special session, commencing on the second day of June, A. D. 1906, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that section eighteen of Article XI of the Constitution of California be amended to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however,* that the City and County of San Francisco may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred, by it, to commence at a time after the incurring of such indebtedness of not more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed one hundred years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void.

CALLED TO THE CHAIR.

At eleven o'clock and forty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. O'Brien to the chair.

AMENDMENT TO SENATE CONSTITUTIONAL AMENDMENT NO. 2.

Mr. Coghlan offered the following amendment, which was read:

Amend Senate Constitutional Amendment No. 2 by striking out of line 18 of printed resolution the word "majority," and inserting in lieu thereof the word "three-fifths."

Amendment adopted.

SPEAKER RESUMES THE CHAIR.

At eleven o'clock and fifty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

RESOLUTION ADOPTED.

The question being on the adoption of Senate Constitutional Amendment No. 2, as amended.

SENATE CONSTITUTIONAL AMENDMENT NO. 2.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that section eight of article eleven of the Constitution of the State of California be amended by adding to said section the following:

In the City and County of San Francisco and in the City of San José, for and during the period of two years from the date of the adoption of this amendment, the charter of said city and county or city may be amended at any time or times by proposal or proposals therefor, submitted by the legislative authority of the said city and county or city to the qualified electors thereof, at a general or special election held at least five days after the publication of such proposal or proposals for ten days in a daily newspaper of general circulation in said city and county or city and

ratified by three fifths of the qualified voters voting thereon: which amendment or amendments when so ratified by such vote shall immediately and without subsequent approval by the legislature become and be in full force and effect, and all acts, proceedings, matters or things done, taken, adopted or performed by any public board, officer, or by any individual or person under such ratified amendments of the charter of the said City and County of San Francisco or City of San José shall be forever as valid and effective as though such amendment or amendments to said charter had been approved by the legislature.

The roll was called, and Senate Constitutional Amendment No. 2 was declared adopted by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Chandler, Coghlan, Cooper, Coyle, Cullen, Drew, Ellis, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lunley, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, O'Brien, Perkins, Pfaffle, Pryor, Pyle, Rolley, Severance, Strobbridge, Strobl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—Messrs. Amerige, Burge, Busick, Cleveland, Cromwell, Devlin, Dorsey, Lynch, Moore, and Stanton—10.

Senate Constitutional Amendment No. 2 was ordered transmitted to the Senate.

SENATE MESSAGES.

Messages from the Senate were called up and read, as follows:

SENATE CHAMBER, SACRAMENTO, JUNE 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that, in accordance with the request of your honorable body, the President of the Senate has this day appointed the following committee as a Committee of Conference on Senate Concurrent Resolution No. 2: Senators Belshaw, Shorrbridge, and Curtin, to meet with your Committee of Conference.

Also: That the Senate on this day concurred in Assembly amendments to Committee Substitute for Senate Bill No. 56 and Senate Bill No. 47.

Also: Adopted the majority report of the joint Committee of Conference, and have concurred in the Assembly amendment to Senate Concurrent Resolution No. 2.

Also: Adopted, on this day, Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

LEWIS A. HILBORN, Secretary of the Senate.
By D. J. SHIELDS, Assistant Secretary.

On motion of Mr. Treadwell, Senate Constitutional Amendment No. 5 was ordered on file without reference to a committee, and made a special order for two o'clock P. M. this day.

BILLS WITHDRAWN.

Mr. McGowan was granted permission to offer the following, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I ask permission to withdraw—

Assembly Bill No. 58 (No. 10 on file).	Assembly Bill No. 49 (No. 18 on file).
Assembly Bill No. 61 (No. 14 on file).	Assembly Bill No. 74 (No. 20 on file).
Assembly Bill No. 62 (No. 15 on file).	Assembly Bill No. 73 (No. 21 on file).
Assembly Bill No. 16 (No. 16 on file).	Assembly Bill No. 77 (No. 23 on file).
Assembly Bill No. 64 (No. 17 on file).	Assembly Bill No. 72 (No. 24 on file).

McGOWAN.

On motion of Mr. Stanton, the request of Mr. McGowan was granted, and the bills enumerated by Mr. McGowan were ordered withdrawn.

SPECIAL ORDERS—(RESUMED).

Assembly Constitutional Amendment No. 2, as amended this day, having been returned from the printer, was called up on motion of Mr. Treadwell.

Assembly Constitutional Amendment No. 2 was read, as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT No. 2.

(As amended in Assembly June 11, 1906.)

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that article eleven of the Constitution of the State of California be amended by adding a new section thereto, to be known as and numbered twenty, and to read as follows:

Section 20. For and during the period of two years from the date of the adoption hereof, the City and County of San Francisco, by ordinance adopted by a two-thirds vote of its board of supervisors and approved by its mayor, may acquire, by purchase, condemnation, or donation, lands to be used for streets, parks, boulevards, reservoirs or esplanades, or may acquire, by purchase, condemnation or donation, lands to be exchanged for lands to be used for streets, parks, boulevards, reservoirs or esplanades, and may sell, or may exchange, lands now used or hereafter to be acquired by it for streets, parks, boulevards, reservoirs, or esplanades for other lands to be used for the same or similar purposes; and may sell, or exchange for other lands to be used for the same, or similar purposes, any lands now or heretofore used by it, as sites for public or municipal buildings, and may change, widen or extend the lines of its streets; and, where made necessary by the changing, widening, extension, or closing, in whole or in part of any such streets, may change the lines or routes of any pipe, pipe lines, conduits, wires or railways heretofore constructed or laid under the privilege granted by Section 19 of Article XI of this Constitution by any person, firm or corporation in or upon any of such streets, and may alter the terms of any such privilege now or heretofore held or enjoyed by any person, firm or corporation, on any street so changed, widened, extended or closed, only to the extent of changing the lines or routes of any such pipe, pipe lines, conduits, wires or railways; *provided*, that no lands now owned by said City and County of San Francisco shall be sold or exchanged unless such sale or exchange shall first be authorized by a majority of the voters of said city and county voting thereon, at a special election called for the purpose of such authorization, but this shall not be construed to prevent any exchange of such lands acquired by the said city and county after the date of the adoption by the Legislature of the resolution submitting this amendment to the people, for street purposes as herein provided; *provided, further*, that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions hereof; *and also provided*, that nothing in this section contained shall be so construed as to confer upon the Board of Supervisors any power or authority, beyond that at this date possessed, by it, to extend the term or time of existence, or conditions, of any privilege or franchise. In all cases proper compensation shall be allowed for all property or rights taken, acquired, or affected by such action. No property or rights shall be taken without the consent and concurrence of persons owning the same, except under the right of eminent domain and according to law. *Provided*, that the City and County of San Francisco, by ordinance adopted as above, may, at any time within two years from the adoption of this amendment, donate to the State of California, any lot of land now owned or hereafter acquired by said city and county as a site for the erection of a building for State officers in said city and county, or may lease to said State for a term not exceeding ninety-nine years a lot for that purpose.

CALLED TO THE CHAIR.

At twelve o'clock and fifteen minutes p. m., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Jones of San Francisco to the chair.

The question being on the adoption of Assembly Constitutional Amendment No. 2, as amended.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Anthony, Arnerich, Bates, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coghlan, Cooper, Cullen, Devlin, Dorsey, Drew, Ells,

Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of San Francisco, Jury, Lucey, Lumley, Manwell, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Olinsted, Perkins, Placette, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—Messrs. Burge, Coyle, Creighton, Cromwell, Jones of Tuolumne, Lynch, and Moore—7.

ACTING SPEAKER RESUMES THE CHAIR.

At twelve o'clock and twenty-five minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

CONSTITUTIONAL AMENDMENT REFERRED.

On motion of Mr. Stanton, Senate Constitutional Amendment No. 5 was referred to the Committee on Ways and Means, with instructions to report the same back at two o'clock P. M. this day.

RECESS.

At twelve o'clock and thirty minutes P. M., the Acting Speaker declared a recess of the Assembly until two o'clock P. M.

AFTERNOON SESSION.

The Assembly reconvened at two o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

RECESS.

There being no objection, the Acting Speaker declared a recess of the Assembly for fifteen minutes.

RECONVENED.

At two o'clock and fifteen minutes P. M., the Assembly reconvened.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

PERMISSION TO INTRODUCE BILL OUT OF ORDER.

On motion of Mr. Treadwell the rules were suspended by a unanimous vote, and he was granted permission to introduce a bill out of order.

INTRODUCTION OF BILL.

By Mr. Treadwell: Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read first time.

On motion of Mr. Treadwell, Assembly Bill No. 83 was ordered to print with a rush order, and on file without reference to a committee.

BILL WITHDRAWN.

Mr. Treadwell requested, and was granted, leave to withdraw Assembly Bill No. 19 (No. 5 on third-reading file).

Assembly Constitutional Amendment No. 1 and Assembly Constitutional Amendment No. 4 (Nos. 6 and 7 on file) were temporarily passed.

THIRD-READING FILE.

Bills on third-reading file were called up for consideration, as follows:

Assembly Bill No. 23 (No. 8 on file)—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Boyle, Branstetter, Burge, Burke, Coghlan, Creighton, Cullen, Ells, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Strobridge, Strohl, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—45.

NOES—None.

Title read and approved.

Assembly Bill No. 23 was ordered transmitted to the Senate.

PASSED ON FILE.

Senate Constitutional Amendment No. 8 (No. 25 on file) was called up and temporarily passed.

Senate Bill No. 38 (No. 38 on file) was passed on file temporarily.

Assembly Bill No. 17 (No. 9 on file) was passed on file temporarily.

ACTION ON THIRD-READING FILES.

Bills on third-reading Senate and Assembly files were called up and acted on, as follows:

Assembly Bill No. 39 (No. 11 on file)—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has been or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other public calamity.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Boyle, Burge, Coghlan, Creighton, Cullen, Drew, Ells, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Mitcheltree, Moore, O'Brien, Olmsted, Pfaffle, Pryor, Pyle, Rolley, Severance, Strobridge, Strohl, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Assembly Bill No. 39 was ordered transmitted to the Senate.

Assembly Bill No. 69 (No. 12 on file) was passed on file temporarily.

CALLED TO THE CHAIR.

At two o'clock and thirty minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Manwell to the chair.

Senate Bill No. 40 (No. 29 on file)—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Boyle, Branstetter, Coghlan, Creighton, Cullen, Drew, Ellis, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Strobridge, Strohl, Thompson, Treadwell, Vogel, Whiting, and Mr. Speaker—44.

NOES—None.

Title read and approved.

Senate Bill No. 40 was ordered transmitted to the Senate.

Senate Bill No. 48 (No. 27 on file) was temporarily passed.

SPEAKER RESUMES THE CHAIR.

At two o'clock and forty minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

ORDERED ON FILE.

Senate Bill No. 65, erroneously omitted from the files, was ordered on file.

Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California and the University Cadets, called into service by order of the Governor in the months of April, May, and June, 1906.

Bill read third time.

CALLED TO THE CHAIR.

At two o'clock and fifty-five minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Manwell to the chair.

REPORT OF STANDING COMMITTEE.

The Committee on Engrossment and Enrollment submitted the following report, which was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 80—An Act making an appropriation to pay the claim of the Board of Education of the City and County of San Francisco against the State of California—and presented the same to the Governor on this day at two o'clock and thirty minutes P. M.

HAWKINS, Acting Chairman.

ACTION ON SENATE BILL.

The question being on the final passage of Senate Bill No. 65.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Bliss, Boyle, Branstetter, Burke, Chandler, Creighton, Cullen, Drew, Ellis, Gans, Gates, Hartman, Hawkins, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Lynch, Manwell, McCartney, McGowan,

McKenney, Meincke, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Strobridge, Strohl, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—42.
 NOES—None.

Title read and approved.

Senate Bill No. 65 was ordered transmitted to the Senate.

SPEAKER RESUMES THE CHAIR.

At three o'clock and ten minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

BILL CALLED UP FOR AMENDMENT.

On motion of Mr. Treadwell, Assembly Bill No. 11 was called up for the purpose of considering Senate amendments to the bill.

The following Senate amendment to Assembly Bill No. 11 was read:

On pages 1 and 2, Section 1, strike out the whole of lines 4 to 20, inclusive, and insert in lieu thereof the following:

"1855a. When it is desired to prove the contents of any public record or document lost or destroyed by conflagration or other public calamity and, after proof of such loss or destruction, there is offered in proof of such contents, any abstract of title issued and certified to as correct by any person, firm or corporation, engaged in the business of preparing and making abstracts of title issued and certified to as correct by any such person, firm or corporation, the same may be admitted in evidence on proof that the same was prepared and made in the ordinary course of business prior to such loss or destruction, and without further proof by the person who actually made the copies, extracts, notes or memoranda of records constituting said abstract of title that they were correctly taken from the original record or document; *provided*, nevertheless, that whenever and as soon as said action is set for trial any party so desiring to use said evidence shall notify all other parties to the action who have appeared therein, of his intention to use the same at the trial of said action, and shall give all such other parties a reasonable opportunity to inspect the same and to take copies thereof.

Mr. Treadwell moved to concur in the Senate amendment.

The question being, "Shall the Assembly concur in Senate amendment to Assembly Bill No. 11?"

The roll was called, and the Senate amendment concurred in by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Bliss, Boyle, Branstetter, Burke, Chandler, Creighton, Cullen, Drew, Ellis, Gans, Gates, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Lumley, Lynch, Maxwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Strobridge, Strohl, Thompson, Treadwell, Vogel, Whiting, Wickersham, and Mr. Speaker—43.

NOES—None.

Assembly Bill No. 11 was ordered to enrollment.

SENATE MESSAGES.

Senate messages were called up, and the following was read:

SENATE CHAMBER, SACRAMENTO, June 9, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the following:

Senate Joint Resolution No. 2—Relative to the hydrographic branch of the United States Geological Survey.

LEWIS A. HILBORN, Secretary of Senate.
 By D. J. SHIELDS, Assistant Secretary.

Senate Joint Resolution No. 2 was read, as follows:

SENATE JOINT RESOLUTION No. 2.

WHEREAS, The hydrographic branch of the Geological Survey has rendered conspicuous service to the people of the United States, and especially to the State of California; and

WHEREAS, Any reduction in the amount of money appropriated for its maintenance would seriously cripple and reduce the efficiency of its work; now, therefore, be it

Resolved by the Senate and Assembly jointly, That the Senators and Representatives in Congress from the State of California be, and they are hereby, urgently requested to use every honorable means to prevent any reduction in the Sundry Civil Bill of the amount of the appropriation providing for the maintenance of the hydrographic branch of the Geological Survey. The Secretary of the Senate is hereby directed to mail a copy of this resolution to the said Senators and Representatives.

On motion of Mr. McCartney, the resolution was adopted by a unanimous vote.

Senate Joint Resolution No. 2 was ordered transmitted to the Senate.

BILLS WITHDRAWN.

Mr. Treadwell requested, and was granted, permission to withdraw Assembly Bill No. 13.

Mr. McCartney was granted permission to withdraw Assembly Bill No. 68.

Mr. Atkinson was granted permission to withdraw Assembly Bill No. 65.

Mr. Treadwell was granted permission to withdraw Assembly Bill No. 69.

REPORTS OF STANDING COMMITTEES.

Reports of standing committees were submitted and read, as follows:

ON JUDICIARY.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: Your Judiciary Committee having had under consideration Senate Bill No. 29—An Act to add a new section to the Political Code, to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein, the record of which has been, or shall hereafter be, lost or destroyed by conflagration or other public calamity—report the same back, without recommendation.

GANS, Acting Chairman.

ON FEDERAL RELATIONS.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: The undersigned, a majority of your Committee on Federal Relations, to whom was referred Assembly Concurrent Resolution No. 3—Relative to cession of Yerba Buena Island to State of California.

Also: Assembly Concurrent Resolution No. 6—Relative to the regulation of hydraulic mining in the State of California.

Have had the same under consideration, and respectfully report the same back, and recommend that they do not pass.

AMERIGE, Chairman.

URGENCY RESOLUTION—(OUT OF ORDER).

By Mr. McGowan:

Resolved, That Committee Substitute for Senate Bill No. 60, Senate Bills Nos. 29, 61, 78, 48, 38, and Assembly Bill No. 83, present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

CALL OF THE HOUSE.

Pending the call of the roll and the announcement of the result, Mr. McGowan, at three o'clock and twenty minutes P. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Chandler, Cleveland, Coghlan, Coyle, Creighton, Cullen, Devlin, Drew, Ells, Gans, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Severance, Strobridge, Strohl, Thompson, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—50.

The doors were ordered closed.

The Sergeant-at-Arms was furnished with a list of unexcused members.

At three o'clock and forty minutes P. M., the Sergeant-at-Arms brought Messrs. Cromwell, Stanton, Perkins, Busick, Transue, and Lucey before the bar of the House.

The members mentioned were excused on account of being absent on committee duty.

On motion of Mr. McGowan, at three o'clock and forty-five minutes P. M., further proceedings under the call of the House were dispensed with.

The doors were ordered reopened.

URGENCY RESOLUTION ADOPTED.

The question being on the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Severance, Strobridge, Strohl, Thompson, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

NOES—None.

BILLS UNDER URGENCY RESOLUTION.

Bills under urgency resolution were acted on, as follows:

Committee Substitute for Senate Bill No. 60 (No. 33 on file)—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Bill read second time.

MOTION.

Mr. McGowan moved that the Assembly resolve into a Committee of the Whole, with Hon. Thos. E. Atkinson, Acting Speaker, in the chair, for the purpose of considering Committee Substitute for Senate Bill No. 60.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

Committee Substitute for Senate Bill No. 60 was considered in Committee of the Whole.

Mr. McGowan moved the committee rise and report back Committee Substitute for Senate Bill No. 60, with recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905—and do now report the same back, and recommend that it do pass.

ATKINSON, Chairman

Report adopted.

Committee Substitute for Senate Bill No. 60—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Cleveland, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Hartman, Hawkins, Hfeld, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lynch, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pyle, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Committee Substitute for Senate Bill No. 60 ordered transmitted to the Senate.

CALLED TO THE CHAIR.

At three o'clock and fifty-five minutes p. m., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Hawkins to the chair.

REPORT OF STANDING COMMITTEE.

The Committee on Ways and Means submitted the following report, which was read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenues of the State for certain years—have had the same under consideration, and respectfully report the same back and recommend that it be not adopted.

STANTON, Chairman.

SENATE BILL CALLED UP.

On motion of Mr. McGowan, Senate Bill No. 78 was called up for consideration under urgency resolution.

Senate Bill No. 78 (No. 33 on file)—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read second time.

Senate Bill No. 78 (No. 33 on file)—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Bliss, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Hartman, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—56.

NOES—None.

Title read and approved.

Senate Bill No. 78 ordered transmitted to the Senate.

SPEAKER RESUMES CHAIR.

At four o'clock and two minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

CONSTITUTIONAL AMENDMENT CALLED UP.

On motion of Mr. Stanton, Senate Constitutional Amendment No. 5 was called up for consideration.

MINORITY REPORT.

The following minority report of the Committee on Ways and Means was submitted and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: The undersigned, a minority of your Committee on Ways and Means, to whom was referred Senate Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years—have had the same under consideration, and respectfully report the same back, and recommend that the same be adopted as amended.

McGOWAN.
LUMLEY.
ROLLEY.
DREW.
WEYAND.

Senate Constitutional Amendment No. 5 was read, as follows:

SENATE CONSTITUTIONAL AMENDMENT No. 5.

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said Legislature voting in favor thereof, hereby propose that article sixteen of the Constitution of the State of California be amended by adding thereto a new section to be numbered two, and to read as follows:

Section 2. The Legislature is authorized and empowered to incur an indebtedness on the part of the State in a sum not to exceed six million dollars, of which sum an amount not exceeding three million dollars shall be appropriated, used and

expended for the purposes of rebuilding, repairing, restoring and replacing the buildings and property of the State recently destroyed or damaged, and any balance of the total sum thereby obtained shall be appropriated, used and expended for the purpose of meeting any deficiencies which may arise and exist in the revenues of the State for the fiscal years commencing July 1, 1907, and ending June 30, 1912. Only so much of the sum so available to meet such deficiencies shall be appropriated or used for any one year as may be necessary to meet the deficiency for such year, not exceeding, however, in any one year twenty per cent. of the whole sum so available; any balance of such sum remaining on June 30, 1912, shall be placed to the credit of such sum as may be created for the repayment of said bonds. The interest on such indebtedness shall not exceed four per cent. per annum, payable semi-annually, the principal to be due and payable in twenty equal annual installments commencing ten years from the date when said indebtedness shall have been incurred. The Legislature is hereby authorized to issue or cause to be issued bonds of the State, with interest coupons, in such form as may be prescribed, for the purpose of evidencing and securing such indebtedness, and to enact all such legislation and authorize, do, and take all such acts and proceedings and the issue and sale of such bonds, and for the payment of the principal and interest thereof. Said bonds shall not be sold for less than par. Except as hereinbefore provided and as provided in Section 1 of this article, the Legislature shall not in any manner create any debt or debts, liability or liabilities.

Mr. McGowan offered the following amendment, which was read:

Amend Senate Constitutional Amendment No. 5 by striking out the word "four," on line 26, page 2, printed bill, and inserting in lieu thereof the following: "three and one-half."

Amendment adopted.

CALLED TO THE CHAIR.

At four o'clock and thirty minutes p. m., Hon. Thos. E. Atkinson, Acting Speaker, called Mr. Beardslee to the chair.

SENATE CONSTITUTIONAL AMENDMENT DEFEATED.

The question being on the adoption of the resolution.

The roll was called, and Senate Constitutional Amendment No. 5 was refused adoption by the following vote:

AYES—Messrs. Anthony, Beardslee, Coghlan, Coyle, Drew, Ells, Hawkins, Jarvis, Jones of Tuolumne, Lumley, McCartney, McGowan, Pryor, Pyle, Rolley, Severance, Strohl, Treadwell, Vogel, and Weyand—20.

NOES—Messrs. Amerige, Bates, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Creighton, Cromwell, Cullen, Devlin, Gans, Gates, Held, Houser, John, Johnson, Lynch, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Stanton, Strobridge, Thompson, Whiting, and Wickersham—31.

SENATE MESSAGES.

On motion of Mr. McGowan, Senate messages were called up.
The following Senate messages were read:

SENATE CHAMBER, SACRAMENTO, JUNE 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

Also: Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Also: Assembly Bill No. 63—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Assembly Bills Nos. 38, 60, 63, and 82 were ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in the Assembly amendments to Senate Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

Also: Concurred in Assembly amendment to Senate Bill No. 65—An Act making an appropriation to pay the claims for services, subsistence, supplies, transportation, and other expenses of the National Guard of California, and the University Cadets, called into service by order of the Governor in the months of April, May, and June, 1906.

Also: Adopted Senate Joint Resolution No. 3.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

On motion of Mr. McKenney, Senate Joint Resolution No. 3 was called up and read, as follows:

SENATE JOINT RESOLUTION NO. 3.

WHEREAS, The recent conflagration, which destroyed a large portion of the City and County of San Francisco, has resulted in withdrawing a large amount of capital annually employed in the State of California in the prospecting for, working and developing mines, and has particularly worked a hardship upon those persons who annually contribute a large amount of money for the performance of the annual labor upon mining claims, as required by the provisions of Section 2324 of the Revised Statutes of the United States.

Resolved, therefore, by the Senate of the State of California and Assembly, jointly, That our Senators and Representatives in Congress use all honorable means to secure the passage of legislation by the present Congress, suspending the operation for the year 1906 of that portion of the Revised Statutes of the United States, Section 2324 thereof, requiring the expenditure annually of one hundred dollars in labor and improvements upon unpatented mining claims, similar legislation having been enacted by Congress in the years 1893 and 1894.

Be it therefore resolved, That the Secretary of the Senate be and he is hereby directed to transmit a copy of this resolution to each of our Senators and Representatives in Congress.

Mr. McKenney moved the adoption of the resolution.

The roll was called, and the resolution was declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Ells, Gans, Gates, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Jury, Lucey, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pfaeffe, Pryor, Pyle, Rolley, Severance, Stanton, Strobeck, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—51.

NOES—Messrs. Devlin and Drew—2.

RECESS EXTENDED.

At four o'clock and fifty-eight minutes P. M., on motion of Mr. Treadwell, the hour for recess was extended thirty minutes.

BILLS UNDER URGENCY RESOLUTION.

Bills under urgency resolution, as follows, were called up and acted on:

Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read second time.

MOTION.

Mr. Treadwell moved that the Assembly resolve into a Committee of the Whole, with Mr. Beardslee in the chair, for the purpose of considering Assembly Bill No. 83.

Motion carried.

IN COMMITTEE OF THE WHOLE.

Mr. Beardslee in the chair.

Assembly Bill No. 83 was considered in Committee of the Whole.

Mr. Treadwell moved that the Committee of the Whole rise and report back Assembly Bill No. 83, with recommendation that it do pass.

Motion carried.

IN ASSEMBLY.

Mr. Beardslee in the chair.

REPORT OF COMMITTEE OF THE WHOLE.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 11, 1906.

GENTLEMEN: The Committee of the Whole have had under consideration Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District—and do now report the same back, and recommend that it do pass.

BEARDSLEE, Chairman.

Report adopted.

Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Bill read third time.

The question being on the passage of the bill.

The roll was called, and the bill was passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ellis, Gans, Gates, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jury, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—54.

NOES—None.

Title read and approved.

Assembly Bill No. 83 ordered transmitted to the Senate.

CONSTITUTIONAL AMENDMENT CALLED UP.

On motion of Mr. Treadwell, Senate Constitutional Amendment No. 8 was called up and read, as follows:

SENATE CONSTITUTIONAL AMENDMENT NO. 8.

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing Section 5 of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, 1906, two thirds of all the members voting in favor thereof, hereby propose that Article XIII of the Constitution of the State of California be amended by repealing Section 5 thereof.

Article XIII of the Constitution of the State of California is hereby amended by striking therefrom and repealing Section 5 thereof, which section reads as follows:

Section 5. Every contract hereafter made, by which a debtor is obliged to pay any tax or assessment on money loaned, or on any mortgage, deed of trust, or other lien, shall, as to any interest specified therein, and as to such tax or assessment, be null and void.

CALL OF THE HOUSE.

Pending the call of the roll and the announcement of the result, Mr. Treadwell, at five o'clock and seventeen minutes P. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

MESSRS. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

The doors were ordered closed.

The Sergeant-at-Arms was furnished with a list of unexcused members.

FURTHER PROCEEDINGS DISPENSED WITH.

On motion of Mr. Atkinson, Acting Speaker, at five o'clock and twenty-five minutes P. M., further proceedings under the call of the House were dispensed with.

The doors were ordered reopened.

RESUMES THE CHAIR.

At five o'clock and thirty minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

The question being on the adoption of Senate Constitutional Amendment No. 8.

The roll was called, and Senate Constitutional Amendment No. 8 was declared adopted by the following vote:

AYES—MESSRS. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Gates, Hartman, Hawkins, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—MESSRS. Coyle, Creighton, and Strobbridge—3.

Senate Constitutional Amendment No. 8 was ordered transmitted to the Senate.

SENATE BILL CALLED UP.

On motion of Mr. Strobbridge, Senate Bill No. 48 (No. 27 on file) was called up for the purpose of amendment.

Senate Bill No. 48 (No. 27 on file)—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending section five thereof, relating to the apportionment of said fund.

Bill read second time.

Mr. Strobbridge offered the following amendment, which was read:

Amend Senate Bill No. 48, Section 1, page 2 of the printed bill, by inserting in line 42 thereof, after the words "in any," the following: "school or."

Amendment adopted.

Senate Bill No. 48 ordered to print with a rush order, to be taken up under urgency resolution, after return from printer.

REPORT OF STANDING COMMITTEE.

The Committee on Ways and Means submitted the following report, which was read:

ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, JUNE 11, 1906.

MR. SPEAKER: Your Committee on Ways and Means, to whom was referred Assembly Concurrent Resolution No. 1—Relative to adjournment *sine die*.

Also: Assembly Concurrent Resolution No. 2—Relative to adjournment *sine die*.

Have had the same under consideration, and respectfully report the same back, with recommendation that same be withdrawn.

Also: Assembly Bill No. 5—An Act appropriating one hundred and twenty-three thousand three hundred and ninety-two and thirty-one one-hundredths (\$123,392.31) dollars to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of capital stock of certain corporations, necessary for the maintenance of the University of California.

Also: Assembly Bill No. 6—An Act appropriating eight thousand six hundred (\$8,600.00) dollars to the Regents of the University of California to enable them to repair certain damage to the dental, medical, western, and veterinary buildings of the Affiliated Colleges, which said buildings are the property of and necessary to the maintenance of the University of California.

Also: Assembly Bill No. 7—An Act appropriating twenty-seven thousand and thirty-nine and eighty-six one-hundredths (\$27,039.86) dollars to enable the Regents of the University of California to restore certain property damaged and destroyed upon the campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinic, college of pharmacy, medical, medical "out patient" section, stationery, anthropology, publications, library, Wilmerding School and Lick Observatory, which said property is necessary for the maintenance of the University of California.

Also: Assembly Bill No. 8—An Act appropriating forty-one thousand, four hundred and eighty (\$41,480.00) dollars, to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

Also: Assembly Bill No. 9—An Act appropriating eight thousand, six hundred and forty-one and fifty one-hundredths (\$8,641.50) dollars, to reimburse the Regents of the University of California for the loss of income on property destroyed in the City and County of San Francisco, belonging to and necessary for the maintenance of the University of California.

Also: Assembly Bill No. 66—An Act appropriating eleven hundred and thirty-seven dollars and fifty cents (\$1137.50) to enable the "State Dairy Bureau of California" to restore certain property damaged and destroyed, which said property is necessary for the maintenance of the State Dairy Bureau of California.

Also: Assembly Bill No. 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment, and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said city of San Francisco, and making an appropriation therefor.

Have had the same under consideration, and respectfully report the same back, with recommendation that the same be withdrawn.

STANTON, Chairman

BILLS AND RESOLUTIONS WITHDRAWN.

Assembly Concurrent Resolutions Nos. 1 and 2 were withdrawn.

Assembly Bills Nos. 5, 6, 7, 8, 9, 66, and 73 were withdrawn.

RESOLUTION PROVIDING FOR DISTRIBUTION OF STATE PUBLICATIONS.

Mr. Creighton was granted permission to offer the following resolution, which was read:

Be it resolved, That the Secretary of State is hereby authorized and directed to distribute to the Chief Clerk of the Assembly, for the use of the Assembly, seventy-five (75) complete sets of the following State publications, viz: Statutes Continued in Force, 1873; Statutes, 1875-6; Statutes, 1877-8; Statutes, 1880; Statutes, 1881; Statutes, 1883; Statutes, 1886-7; Statutes, 1889; Statutes, 1893; Statutes, 1897;

Statutes, 1899; Statutes, 1901; Statutes, 1903; Statutes, 1905; Index to Laws, 1850-1893; Index to Laws, 1893-1903; Amendments to the Codes, 1873-4; Amendments to the Codes, 1875-6; Amendments to the Codes, 1877-8; Amendments to the Codes, 1880; Code of Civil Procedure; Penal Code, 1872; Political Code, volumes 1 and 2, 1872; Wright's Irrigation Law; and Volumes 141 to 146, inclusive, of the Supreme Court Reports of California.

Resolution adopted.

RECESS.

At five o'clock and thirty-five minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, declared a recess of the Assembly until eight o'clock P. M.

EVENING SESSION.

The Assembly reconvened at eight o'clock P. M.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

SENATE MESSAGES.

Senate messages were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, JUNE 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending section eight of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification by the Legislature.

Also: Passed, as a case of urgency, Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Senate Bill No. 82 was read first time, and ordered on special Senate file without reference to a committee.

Also:

SENATE CHAMBER, SACRAMENTO, JUNE 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 79—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California, and to provide for the payment of interest on such investment.

Also: Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Assembly Bills Nos. 79, 81, and 25 were ordered to enrollment.

Also:

SENATE CHAMBER, SACRAMENTO, JUNE 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted, as amended, Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.

Also: Amended, and adopted as amended, Assembly Concurrent Resolution No. 5—Relating to printing the laws, amendments to the codes and proposed constitutional amendments for free distribution by the Secretary of State.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

AMENDMENT CONCURRED IN.

Assembly Concurrent Resolution No. 5 was read, as follows:

ASSEMBLY CONCURRENT RESOLUTION No. 5.

Relating to printing the laws, amendments to the codes, and proposed constitutional amendments for free distribution by the Secretary of State.

Resolved by the Assembly, the Senate concurring. That the Superintendent of State Printing be instructed to cause to be printed an edition of five thousand copies of the laws, amendments to the codes, and proposed constitutional amendments, passed at this extra session, to be indexed by the Secretary of State, the same to be stitched and paper covered, and to be delivered to the Secretary of State for free distribution. Also, in addition to these five thousand copies, the Superintendent of State Printing be instructed to print in chapter form forty thousand copies of either Assembly Bill No. 34 or Senate Bill No. 19, relating to the annual license tax upon corporations, should either bill pass and become a law; fifteen hundred copies of either Assembly Bill No. 16 or Senate Bill No. 13, relating to the refunding of money to certain corporations, should either bill pass and become a law, and two hundred and fifty copies of all other chapters and proposed constitutional amendments for free distribution by the Secretary of State, all of which shall be paid for out of the appropriation for legislative printing.

The following Senate amendment to Assembly Concurrent Resolution No. 5 was read:

Amend by inserting after the words "Secretary of State for free distribution" in the resolution, the following: "twenty of which said copies he shall send to each member of the Senate and Assembly."

On motion of Mr. McGowan, the Senate amendment to Assembly Concurrent Resolution No. 5 was concurred in.

Assembly Concurrent Resolution No. 5 was ordered to enrollment.

Senate Constitutional Amendment No. 12, as amended in Senate, was read, as follows:

SENATE CONSTITUTIONAL AMENDMENT No. 12.

A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts to incur indebtedness.

Resolved, by the Senate, the Assembly concurring. That the Legislature of the State of California, at its special session, commencing on the second day of June, A. D. 1906, two thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that section eighteen of Article XI of the Constitution of California be amended to read as follows:

Section 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness, provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof on or before maturity, which shall not exceed forty years from the time of contracting the same; *provided, however,* that the City and County of San Francisco and the City of San José may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred, by it, to commence at a time after the incurring of such indebtedness of not more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed one hundred years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void.

Mr. Jarvis offered the following amendment, which was read:

Amend Senate Constitutional Amendment No. 12 by striking out of line 19 the word "and" and inserting in lieu thereof a comma. Also: After the word "San José," in line 20, insert the words "and the town of Santa Clara."

Amendment adopted.

Further consideration of Senate Constitutional Amendment No. 12 was ordered deferred until later in this evening's session.

SENATE BILL TAKEN UP.

On motion of Mr. Strobridge, Senate Bill No. 48 was called up for third reading.

Senate Bill No. 48 (No. 27 on file)—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Drew, Duryea, Ellis, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Stohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 48 was ordered transmitted to the Senate.

SENATE MESSAGE.

The following Senate message was read:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

URGENCY RESOLUTION.

By Mr. Treadwell:

Resolved, That Senate Bills Nos. 82 and 83 present cases of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bills shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bills be read the second and third times, and placed upon their passage.

The question being on the adoption of the resolution.

The roll was called, and the resolution declared adopted by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Jones of Tuolumne, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Stohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—None.

ACTION ON SENATE BILLS.

Senate bills were called up and acted on as follows, under urgency resolution:

Senate Bill No. 29 (No. 31 on file)—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating

to county and city and county recorders' offices, and to the recording of instruments therein, the record of which has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity.

Bill read second time.

Senate Bill No. 29 (No. 31 on file) — An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein, the record of which has been, or shall hereafter be, lost, injured or destroyed by conflagration or other public calamity.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gates, Goodrich, Hartman, Hawkins, Houser, Jarvis, John, Johnson, Jones of San Francisco, Jury, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Perkins, Pryor, Pyle, Rolley, Stanton, Strobidge, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—51.

NOES—None.

Title read and approved.

Senate Bill No. 29 was ordered transmitted to the Senate.

CONSTITUTIONAL AMENDMENT CALLED UP.

On motion of Mr. Treadwell, Senate Constitutional Amendment No. 12 was called up for further consideration.

VOTE RECONSIDERED.

On motion of Mr. Treadwell, the vote was reconsidered whereby the amendment of Mr. Jarvis to Senate Constitutional Amendment No. 12 was adopted.

The following amendment to Senate Constitutional Amendment No. 12 was offered by Mr. Treadwell:

Amend by striking out all of lines 7 to 27 inclusive, and inserting in lieu thereof the following:

"The City and County of San Francisco, the City of San José and the town of Santa Clara may make provision for a sinking fund, to pay the principal of any indebtedness incurred, or to be hereafter incurred, by it, to commence at a time after the incurring of such indebtedness of not more than a period of one fourth of the time of maturity of such indebtedness, which shall not exceed seventy-five years from the time of contracting the same. Any indebtedness incurred contrary to any provision of this section shall be void."

Also: Strike out of line 6 the words "to read as follows," and insert in lieu thereof the following: "by adding at the end thereof the following."

Mr. Jarvis was granted permission to withdraw his amendment to Senate Constitutional Amendment No. 12.

CALL OF THE HOUSE.

Pending the call of the roll and the announcement of the result, Mr. McGowan, at nine o'clock P. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Bates, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Ells, Gans, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of

San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Perkins, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—56.

The doors were ordered closed.

The Sergeant-at-Arms was furnished with a list of unexcused members.

At nine o'clock and fourteen minutes P. M., the Sergeant-at-Arms brought Mr. Gates before the bar of the House.

Mr. Gates was excused.

On motion of Mr. McGowan, at nine o'clock and fifteen minutes P. M., further proceedings under the call of the House were dispensed with.

The doors were ordered reopened.

SENATE CONSTITUTIONAL AMENDMENT No. 12 ADOPTED.

The question being on the adoption of Senate Constitutional Amendment No. 12.

The roll was called, and Senate Constitutional Amendment No. 12 was declared adopted by the following vote:

AYES—MESSRS. Amerige, Anthony, Bates, Beardslee, Beckett, Bliss, Boyle, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Cullen, Devlin, Drew, Duryea, Ellis, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Perkins, Pryor, Pyle, Rolley, Severance, Stanton, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—58.

NOES—Mr. Gans—1.

Senate Constitutional Amendment No. 12 was ordered transmitted to the Senate.

ACTION ON SENATE BILL.

Senate Bill No. 61 was called up for consideration.

Senate Bill No. 61 (No. 32 on file)—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Bill read second time.

Mr Coyle offered the following amendments, which were read:

Amend on page 6, by inserting a period after the word "timber" in line 177 and striking out the words "The purchase of chemicals can be made without advertising for proposals therefor," in lines 178 and 179.

Also: Strike out the word "three" in line 183, page 6, and substitute therefor the word "one."

Also: Insert after the word "water," page 7, line 232, the words "providing said sand, mud or other substance is not desired by the city of San Francisco for filling purposes."

Also: Insert on page 12, line 387, after the word "merchandise," the words "railroad track or tracks, spur or spurs, switch or switches."

Also: Insert on page 12, line 414, after the word "canal," the following: "providing, said railroad or railroads shall be so constructed as not to interfere with traffic on such open canal."

Further consideration of Senate Bill No. 61 was continued to later in the evening session.

RESOLUTION—(OUT OF ORDER).

By Mr. Creighton:

Resolved, That the Sergeant-at-Arms be and he is hereby instructed to ship to each member the books which the Secretary of State was authorized to deliver to the members.

On motion of Mr. Creighton, the resolution was adopted.

RESOLUTION OF THANKS TO COMMITTEE OF FORTY.

By Mr. Burke:

Resolved, That the members of this extraordinary session of the Assembly of the State of California hereby extend a vote of thanks and appreciation of the services rendered by the Committee of Forty, appointed by the Mayor of the City and County of San Francisco, in aiding and assisting in drafting legislative bills made necessary by the recent calamity which befell San Francisco; and further

Resolved, That the Chief Clerk of this Assembly certify to and forward a copy of this resolution to the Chairman of said Committee of Forty.

On motion of Mr. Burke, the resolution was adopted.

REPORT OF STANDING COMMITTEE.

The Committee on Constitutional Amendments submitted the following report, which was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: Your Committee on Constitutional Amendments, to whom was referred Assembly Constitutional Amendment No. 6—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section nineteen thereof, relating to the use of streets, pipes and conduits for water and artificial light—have had the same under consideration, and respectfully report the same back, and recommend that it be not adopted.

HOUSER, Chairman.

SENATE MESSAGE.

The following Senate message was taken up and read.

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.

Also: Concurred in Assembly amendment to Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, by amending section five thereof, relating to the apportionment of said fund.

Also: Most respectfully return to your honorable body for correction, as per your request, Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, stationery and supplies for the District Court of Appeal of the First District.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Assembly Bill No. 83 was ordered to enrollment.

ACTION ON SENATE BILLS—(RESUMED).

Senate bills were called up and acted on as follows (under urgency resolution):

Senate Bill No. 83—An Act enabling the restoration of an assessment roll when the same has been destroyed.

Bill read second time.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill refused passage by the following vote:

AYES—Messrs. Bates, Bliss, Boyle, Chandler, Coghlan, Cullen, Drew, Duryea, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lumley, Manwell, McCartney, McGowan, Pryor, Pyle, Strohl, Thompson, Treadwell, Vogel, and Wickersham—25.

NOES—Messrs. Amerige, Beardslee, Branstetter, Burke, Busick, Covle, Creighton, Cromwell, Devlin, Ells, Gans, Held, Lynch, McKenney, Moore, O'Brien, Perkins, Strobbridge, Weyand, Whiting, and Mr. Speaker—21.

AMENDMENTS WITHDRAWN.

Mr. Coyle requested, and was granted, permission to withdraw his amendments to Senate Bill No. 61.

Senate Bill No. 61—An Act to amend Section 2524 of the Political Code, relating to the jurisdiction, powers and duties of the Board of State Harbor Commissioners.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Bates, Beardslee, Boyle, Branstetter, Burke, Busick, Chandler, Coyle, Creighton, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Luccy, Lumley, Manwell, McCartney, McGowan, McKenney, Moore, O'Brien, Perkins, Pryor, Pyle, Rolley, Stobridge, Strohl, Thompson, Transue, Treadwell, Weyand, Whiting, Wickersham, and Mr. Speaker—46.

NOES—None.

Title read and approved.

Senate Bill No. 61 was ordered transmitted to the Senate.

RESOLUTION.

By the Committee on Contingent Expenses:

Resolved, That the Controller be directed to draw his warrant in favor of the Chief Clerk, and the Treasurer is hereby directed to pay the same, in the sum of twenty-three and eighty-six one-hundredths dollars, same being for payment of attached bills.

On motion of Mr. Cromwell, the resolution was adopted.

ACTION ON SENATE BILLS.

Senate bills were called up and acted on, as follows:

Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

Bill read second time.

RECESS.

At ten o'clock P. M., on motion of Mr. Burke, a recess was declared for thirty minutes.

RECONVENED.

At ten o'clock and forty minutes P. M., the Assembly reconvened.

Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

SENATE MESSAGE.

The following Senate message was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day amended, and passed as amended, Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools and the powers of boards of education or boards of school trustees in issuing bonds.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

SENATE AMENDMENTS CONCURRED IN.

On motion of Mr. McGowan, Assembly Bill No. 78 was called up for consideration of Senate amendments to the bill.

Assembly Bill No. 78—An Act to amend Section 1670 of the Political

Code, relating to the organization and establishment of high schools and the powers of boards of education or boards of school trustees in issuing bonds.

The following Senate amendments to Assembly Bill No. 78 were read:

AMENDMENT No. 1.

On page 1, Section 1, line 3 of the printed bill, insert a comma after the word "city."

AMENDMENT No. 2.

On page 2, subdivision 3, line 4 of the printed bill, strike out the word "or" and insert in lieu thereof the word "for."

AMENDMENT No. 3.

On page 2, subdivision 3, line 7 of the printed bill, add the letter "s" to the word "district."

AMENDMENT No. 4.

On page 4, subdivision 6, line 6 of the printed bill, to the word "district" add the letter "s."

AMENDMENT No. 5.

On page 8, line 56 of the printed bill, strike out the word "in" before the word "such."

AMENDMENT No. 6.

On page 9, line 66 of the printed bill, after the word "minutes" strike out the comma.

AMENDMENT No. 7.

On page 13, subdivision 15, line 9 of the printed bill, after the word "computed" insert a comma.

AMENDMENT No. 8.

On page 17, subdivision 24, line 37 of the printed bill, after the letter "n" in disincorporation and before the quotations insert a comma.

AMENDMENT No. 9.

On page 18, line 45 of the printed bill, after the word "disincorporation" insert a comma.

AMENDMENT No. 10.

On page 18, line 50 of the printed bill, after the word "hereof" insert a comma.

AMENDMENT No. 11.

On page 18, line 54 of the printed bill, after the word "thereafter" insert a comma.

AMENDMENT No. 12.

On page 18, line 55 of the printed bill, after the word "existing" insert the word "school."

Mr. McGowan moved that the Assembly concur in all the Senate amendments to Assembly Bill No. 78, and that the roll be called on the motion to concur.

Motion carried.

The question being on concurrence in the Senate amendments.

The roll was called, and the Senate amendments were declared concurred in by the following vote:

AYES—Messrs. Amerige, Beardslee, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Cullen, Devlin, Duryea, Ells, Gans, Gates, Hartman, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucy, Lumley, Lynch, Maxwell, McGowan, McKenney, Mindham, O'Brien, Perkins, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—42.

NOES—None.

Assembly Bill No. 78 was ordered to enrollment.

CALLED TO THE CHAIR.

At eleven o'clock p. m. Mr. Strobridge was called to the chair by Hon. Thos. E. Atkinson, Acting Speaker, in the chair.

ACTION ON SENATE BILLS.

Senate bills were called up and acted on, as follows :

Senate Bill No. 82—An Act to amend Section 954 of the Code of Civil Procedure, relating to bonds on appeal.

Bill read third time.

The question being on the final passage of the bill.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Amerige, Beardslee, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Creighton, Cromwell, Devlin, Drew, Duryea, Ells, Gans, Gates, Hartman, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, McGowan, McKenney, Mindham, O'Brien, Olmsted, Rolley, Strobbridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker.—42.

NOES—None.

Title read and approved.

Senate Bill No. 82 was ordered transmitted to the Senate.

RULES SUSPENDED.

Mr. Devlin moved that the rules be suspended for the purpose of enabling a motion to be made to reconsider the vote whereby Senate Bill No. 83 was refused passage at this evening's session.

Motion carried unanimously.

VOTE TO RECONSIDER.

Mr. Devlin moved to reconsider the vote whereby the Assembly refused passage to Senate Bill No. 83.

The roll was called, and the motion to reconsider was declared carried by the following vote :

AYES—Messrs. Amerige, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Creighton, Cromwell, Devlin, Duryea, Ells, Gans, Hartman, Held, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Lynch, McCartney, McGowan, McKenney, Moore, O'Brien, Olmsted, Perkins, Rolley, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker.—43.

NOES—Mr. Manwell—1.

BILL FINALLY PASSED.

The question being on the final passage of Senate Bill No. 83.

The roll was called, and the bill was finally passed by the following vote:

AYES—Messrs. Beardslee, Boyle, Branstetter, Burke, Busick, Chandler, Coghlan, Coyle, Cromwell, Devlin, Drew, Duryea, Ells, Gans, Gates, Hartman, Held, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lucey, Lumley, Lynch, McCartney, McGowan, McKenney, Mindham, Moore, O'Brien, Olmsted, Rolley, Strobbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Wickersham.—43.

NOES—Messrs. Creighton and Manwell—2.

Title read and approved.

Senate Bill No. 83 was ordered transmitted to the Senate.

REPORT OF STANDING COMMITTEE.

The Committee on Ways and Means submitted the following report which, on motion of Mr. Transue, was ordered printed in the Journal:

FINAL REPORT OF COMMITTEE ON WAYS AND MEANS.

ASSEMBLY CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: Your Committee on Ways and Means beg leave to submit its report for the period of the special session ending June 12, 1906, as follows:

	AMOUNT
Assembly Bill No. 5	\$123,392 31
Assembly Bill No. 6	8,000 00
Assembly Bill No. 7	27,039 86
Assembly Bill No. 8	41,480 00
Assembly Bill No. 9	8,641 50
Assembly Bill No. 15	35,000 00
Assembly Bill No. 16	4,600 00
Assembly Bill No. 44	5,000 00
Assembly Bill No. 46	3,000 00
Assembly Bill No. 49	35,000 00
Assembly Bill No. 50	72,500 00
Assembly Bill No. 51	25,000 00
Assembly Bill No. 52	25,000 00
Assembly Bill No. 53	3,000 00
Assembly Bill No. 54	3,500 00
Assembly Bill No. 55	12,000 00
Assembly Bill No. 57	35,000 00
Assembly Bill No. 59	500,000 00
Assembly Bill No. 60	2,500 00
Assembly Bill No. 61	5,000 00
Assembly Bill No. 62	2,000 00
Assembly Bill No. 64	4,500 00
Assembly Bill No. 66	1,137 50
Assembly Bill No. 67	4,500 00
Assembly Bill No. 69	35,000 00
Assembly Bill No. 70	200,000 00
Assembly Bill No. 73	500,000 00
Assembly Bill No. 74	83,800 00
Assembly Bill No. 76	2,500 00
Assembly Bill No. 80	25,000 00
Assembly Bill No. 82	1,000 00
Assembly Bill No. 71	No money
Assembly Bill No. 75	No money
Senate Bill No. 6	5,000 00
Senate Bill No. 7	3,000 00
Senate Bill No. 8	123,392 31
Senate Bill No. 13	4,605 00
Senate Bill No. 17	1,500 00
Senate Bill No. 18	5,000 00
Senate Bill No. 34	No money
Senate Bill No. 36	No money
Senate Bill No. 41	30,000 00
Senate Bill No. 43	35,000 00
Senate Bill No. 46	72,500 00
Senate Bill No. 59	No money
Senate Bill No. 62	25,000 00
Senate Bill No. 63	2,500 00
Senate Bill No. 67	29,000 00
Senate Bill No. 71	2,000 00
Senate Bill No. 70	5,000 00
Senate Bill No. 73	500,000 00
Senate Bill No. 74	850 00
Senate Bill No. 77	No money

Bills Reported Favorably.

Senate Bill No. 6	\$5,000 00
Senate Bill No. 7	3,000 00
Committee Substitute for Senate Bill No. 18	83,800 00
Senate Bill No. 13	4,605 00
Senate Bill No. 17	1,500 00
Senate Bill No. 18	5,000 00
Senate Bill No. 34	No money

	AMOUNT
Senate Bill No. 36.....	No money
Senate Bill No. 41.....	\$30,000 00
Senate Bill No. 43.....	35,000 00
Senate Bill No. 46.....	72,500 00
Senate Bill No. 59.....	No money
Senate Bill No. 62.....	25,000 00
Senate Bill No. 63.....	2,500 00
Senate Bill No. 67.....	29,000 00
Senate Bill No. 73.....	500,000 00
Senate Bill No. 74.....	850 00
Senate Bill No. 77.....	No money
Assembly Bill No. 15.....	35,000 00
Assembly Bill No. 16.....	4,605 00
Assembly Bill No. 44.....	5,000 00
Assembly Bill No. 46.....	3,000 00
Assembly Bill No. 49.....	35,000 00
Assembly Bill No. 50.....	72,000 00
Assembly Bill No. 51.....	30,000 00
Assembly Bill No. 52.....	25,000 00
Assembly Bill No. 53.....	3,000 00
Assembly Bill No. 54.....	3,500 00
Assembly Bill No. 55.....	12,000 00
Assembly Bill No. 57.....	29,000 00
Assembly Bill No. 59.....	500,000 00
Assembly Bill No. 60.....	500 00
Assembly Bill No. 61.....	5,000 00
Assembly Bill No. 62.....	2,000 00
Assembly Bill No. 64.....	2,500 00
Assembly Bill No. 67.....	2,500 00
Assembly Bill No. 69.....	4,500 00
Assembly Bill No. 70.....	10,000 00
Assembly Bill No. 74.....	83,800 00
Assembly Bill No. 76.....	2,500 00
Assembly Bill No. 80.....	25,000 00
Assembly Bill No. 82.....	1,000 00

Respectfully submitted.

STANTON, Chairman.

SPEAKER RESUMES THE CHAIR.

At eleven o'clock and ten minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

SENATE MESSAGE.

The following Senate message was taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendment to Senate Bill No. 48—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution, and repealing an Act entitled 'An Act creating a fund for the benefit and support of high schools and providing for its distribution,' approved March 2, 1903," approved March 6, 1905, by amending section five thereof, relating to the apportionment of said fund.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

APPROVAL OF JOURNAL POSTPONED.

Action on the approval of the Journal of Friday, June 8, 1906, was ordered postponed until to-morrow (Tuesday) morning after prayer.

ADJOURNMENT.

On motion of Mr. Amerige, at eleven o'clock and twenty minutes P. M., Hon. Thos. E. Atkinson, Acting Speaker, declared the Assembly adjourned until to-morrow (Tuesday), June 12, 1906, at ten o'clock A. M.

IN ASSEMBLY.

ASSEMBLY CHAMBER.

Tuesday, June 12, 1906. }

At ten o'clock A. M. the Assembly met, pursuant to adjournment.

Hon. Thos. E. Atkinson, of San Francisco, Acting Speaker, in the chair.

ROLL CALL.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Arnerich, Bates, Beardslee, Beckett, Bfiss, Boyfe, Branstetter, Burge, Chandler, Cleveland, Coghfian, Coyle, Cromwell, Cullen, Devlin, Drew, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, Jarvis, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Lumley, Lynch, Manwell, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strobidge, Strohl, Thompson, Transue, Treadwell, Weyand, Whiting, and Mr. Speaker—54.

Quorum present.

LEAVES OF ABSENCE.

Leaves of absence for the day were, on motion, granted Messrs. Estudillo, Cooper, Wickersham, McCartney, Pfaeffle, Mitcheltree, and Stanton.

PRAYER.

Prayer was offered by the Chaplain, Rev. W. F. Reagor.

READING AND APPROVAL OF JOURNALS.

During the reading of the Journal of Monday, June 11, 1906, its further reading was dispensed with, on motion of Mr. Weyand.

The Journals of Friday, June 8, 1906; Saturday, June 9, 1906; and Sunday, June 10, 1906, were corrected, and then approved.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

Also: Assembly Bill No. 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of public records or documents lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 63—An Act adding a new section to the Civil Code to be known as Section 3415, providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 38—An Act to provide for the copying of books, documents, maps or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged by conflagration or other public calamity.

Also: Assembly Bill No. 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

Also: Assembly Joint Resolution No. 1—Relative to bill pending in the House of Representatives of the United States relating to five per cent of proceeds of sale of public lands.

And presented the same to the Governor on this day at ten o'clock A. M.

DEVLIN, Chairman.

SENATE MESSAGES.

The following messages from the Senate were taken up and read:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to Senate Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of California, by amending Section 18 thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education, and school districts, to incur indebtedness.

Also: Amended, and adopted as amended, Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof—and respectfully request your honorable body to concur in the said amendment.

Also: Adopted Senate Concurrent Resolution No. 3—Relative to placing marginal notes to and indexing the laws and journals of the extra session of the thirty-sixth Legislature.

LEWIS A. HILBORN, Secretary of Senate.

By J. W. KAVANAGH, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, passed, as a case of urgency, Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

LEWIS A. HILBORN, Secretary of Senate.

By D. J. SHIELDS, Assistant Secretary.

CONSIDERATION OF SENATE BILL No. 84

Mr. Treadwell moved the consideration of Senate Bill No. 84, and offered the following urgency resolution:

Resolved, That Senate Bill No. 84 presents a case of urgency, as that term is used in Section 15 of Article IV of the Constitution, and the provision of that section requiring that the bill shall be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the first, second and third times, and placed upon its passage.

CALL OF THE HOUSE.

Pending the call of the roll and the announcement of the result, Mr. Treadwell, at ten o'clock and forty-five minutes A. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

MESSRS. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Busick, Coyle, Devlin, Drew, Duryea, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lucey, Lumley, Lynch, Manwell, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Pryor, Pyle, Rolley, Severance, Strohbridge, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—51.

On motion of Mr. Treadwell, at ten o'clock and fifty-five minutes A. M., further proceedings under the call of the House were dispensed with.

The doors were ordered reopened.

The roll was called, and the resolution adopted by the following vote:

AYES—MESSRS. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Busick, Cleveland, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, King, Lucey, Lumley, Lynch, Manwell, McGowan, McKenney, McNamara, Meincke, Mindham, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strohbridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—54.

NOES—Mr. Burge—1.

CONSIDERATION OF BILL UNDER URGENCY RESOLUTION.

Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read first time.

Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read second time.

Senate Bill No. 84—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Burke, Busick, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Held, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lumley, Manwell, McGowan, McNamara, Meincke, Mitchell, Moore, O'Brien, Olmsted, Perkins, Pryor, Rolley, Severance, Strobbridge, Strohl, Thompson, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—48.

NOES—None.

Title read and approved.

Bill ordered transmitted to the Senate.

MOTION.

Mr. Treadwell moved that Senate amendments to Assembly Constitutional Amendment No. 2 be taken up.

So ordered.

Assembly Constitutional Amendment No. 2 was read, as follows:

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 2.

(As amended in Senate.)

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof, by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

The Legislature of the State of California, at its extraordinary session, commencing on the second day of June, nineteen hundred and six, two thirds of all the members elected to each of the houses of said legislature voting in favor thereof, hereby propose that article eleven of the Constitution of the State of California be amended by adding a new section thereto, to be known as and numbered twenty, and to read as follows:

Section 20. For and during the period of two years from the date of the adoption hereof, the city and county of San Francisco, by ordinance adopted by a two-thirds vote of its board of supervisors and approved by its mayor, may acquire, by purchase, condemnation, or donation, lands to be used for streets, parks, boulevards, reservoirs or esplanades, or may acquire, by purchase, condemnation or donation, lands to be exchanged for lands to be used for streets, parks, boulevards, reservoirs or esplanades, and may sell, or may exchange, lands now used or hereafter to be acquired by it for streets, boulevards, reservoirs, or esplanades for other lands to be used for the same or similar purposes, and may sell or exchange for other lands to be used for the same or similar purposes, any lands now or heretofore used by it, as sites for public or municipal buildings, and may change, widen or extend the lines of its streets; and, where made necessary by the changing, widening, extension, or closing, in whole or in part of any such streets, may change the lines or routes of any pipe, pipe lines, conduits or wires heretofore constructed or laid under the privilege granted by Section 19 of Article XI of this Constitution by any person, firm or corporation in or upon any of such streets, and may alter the terms of any such privilege now or heretofore held or enjoyed by any person, firm or corporation.

on any street so changed, widened, extended or closed, only to the extent of changing the lines or routes of any such pipe, pipe lines, conduits or wires from the street so closed to the street opened, established or widened by reason of such change: *provided*, that no lands now owned by said city and county of San Francisco shall be sold or exchanged unless such sale or exchange shall first be authorized by a majority of the voters of said city and county voting thereon, at a special election called for the purpose of such authorization, but this shall not be construed to prevent any exchange of such lands acquired by the said city and county after the date of the adoption by the legislature of the resolution submitting this amendment to the people, for street purposes as herein provided; *provided, further*, that no existing public park or square, or any part thereof, shall be sold or exchanged under the provisions hereof, *and also provided* that nothing in this section contained shall be so construed as to confer upon the board of supervisors any power or authority, beyond that at this date possessed by it, to extend the term or time of existence or conditions, of any privilege or franchise. In all cases proper compensation shall be allowed for all property or rights taken, acquired, or affected by such action. No property or rights shall be taken without the consent and concurrence of persons owning the same, except under the right of eminent domain and according to law. *Provided*, that the city and county of San Francisco, by ordinance adopted as above, may, at any time within two years from the adoption of this amendment, donate to the State of California, any lot of land now owned or hereafter acquired by said city and county as a site for the erection of a building for state officers in said city and county, or may lease to said state for a term not exceeding ninety-nine years a lot for that purpose.

Mr. Treadwell moved that the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 2:

In line 173, page 2 of printed bill, strike out the word "parks."

Also: In line 24, page 2 of printed bill, strike out the words "wires or railways." and insert in lieu thereof the following: "or wires."

Also: In line 31, page 2 of printed bill, strike out the words "wires or railways," and insert in lieu thereof the following: "or wires from the street so closed to the street opened, established or widened by reason of such change."

The question being on the concurrence of the Assembly in the amendments made by the Senate.

CALL OF THE HOUSE.

Pending the call of the roll and the announcement of the result, Mr. Treadwell, at ten o'clock and fifteen minutes A. M., moved a call of the House.

Motion carried.

The roll was called, and the following members answered to their names:

Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burge, Cromwell, Cullen, Devlin, Drew, Gans, Gates, Goodrich, Hartman, Hawkins, Held, John, Johnson, Jones of Tuolumne, Lacey, Lamley, Manwell, McGowan, McKenney, McNamara, Meincke, Moore, O'Brien, Olmsted, Perkins, Pryor, Pyle, Severance, Strobridge, Strohl, Transue, Treadwell, Vogel, Weyand, Whiting, and Mr. Speaker—44.

On motion of Mr. Treadwell, at ten o'clock and thirty minutes A. M., further proceedings under the call of the House were dispensed with.

The doors were ordered reopened.

The roll was called, and Senate amendments to Assembly Constitutional Amendment No. 2 were concurred in, and the resolution passed, as amended, by the following vote:

AYES—Messrs. Amerige, Anthony, Arnerich, Bates, Beardslee, Beckett, Boyle, Branstetter, Burke, Busick, Coyle, Cromwell, Cullen, Devlin, Drew, Duryea, Ells, Gans, Gates, Goodrich, Hartman, Hawkins, Held, Houser, John, Johnson, Jones of Tuolumne, Jones of San Francisco, Jury, King, Lacey, Lamley, Lynch, Manwell, McGowan, McKenney, McNamara, Meincke, Mindham, O'Brien, Olmsted, Perkins, Pryor, Pyle, Rolley, Severance, Strobridge, Strohl, Thompson, Transue, Treadwell, Vogel, Weyand, Whiting, Wickersham, and Mr. Speaker—55.

NOES—Messrs. Burge and Moore—2.

MESSAGE FROM THE GOVERNOR.

The following message from the Governor was read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA
SACRAMENTO, June 12, 1906.

To the Assembly of the State of California

I have the honor to inform your honorable body that I have approved Assembly Bill No. 82—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California, during the fifty-seventh fiscal year.

GEO. C. PARDEE,
Governor of the State of California.

RESOLUTION.

By Mr. Creighton:

Resolved, That the Secretary of State be and he is hereby directed to include in books presented to the members of the Assembly two sets for the Chief Clerk for the use of the desk.

Adopted.

CALLED TO THE CHAIR.

At eleven o'clock A. M., the Acting Speaker called Mr. Creighton to the chair.

SENATE MESSAGES.

Senate messages were taken up and read, as follows:

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted Senate Joint Resolution No. 1—Relating to the cession of Yerba Buena Island to the State of California.

Also: Senate Concurrent Resolution No. 4—Expressing the appreciation of the Senate and Assembly of the services rendered by the United States troops and the National Guard of California after the disaster of April 18, 1906.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 11, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed, as a case of urgency, Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed the following, as a case of urgency:

Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurbishing the office of the Clerk of the Supreme Court in the City of San Francisco.

LEWIS A. HILBORN, Secretary of Senate.
By D. J. SHIELDS, Assistant Secretary.

Also:

SENATE CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: I am directed to inform your honorable body that the Senate has respectfully requested the return of Senate Concurrent Resolution No. 3—Relating to indexing the laws passed by this extra session.

LEWIS A. HILBORN, Secretary of Senate.
By J. W. KAVANAGH, Assistant Secretary.

The request that Senate Concurrent Resolution No. 3 be returned to the Senate was, on motion, granted.

SENATE JOINT RESOLUTION.

The following Senate Joint Resolution was taken up:

SENATE JOINT RESOLUTION No. 1.

Relative to the cession of Yerba Buena Island to the State of California.

WHEREAS, The Port of San Francisco is the gateway to the Orient and it is desirable to have rapid transportation of commerce through the Golden Gate; and,

WHEREAS, Yerba Buena Island, in the Bay of San Francisco, is now of limited use to the Federal Government, but might be made of vast commercial importance to the United States as a railroad terminal: Now, therefore, be it

Resolved by the Senate of the State of California, and the Assembly, jointly. That the United States of America be and it is hereby requested to cede said Yerba Buena Island to the State of California for a railroad terminal, upon the express condition that all transcontinental, local, urban, and interurban railroads may have the right to use said Yerba Buena Island as a railroad terminal, under such regulations, restrictions, and charges as may be appointed and fixed by the State of California.

Resolved, That the Secretary of the Senate forthwith mail a copy of this resolution to the President of the United States and the President of the Senate, and the Speaker of the House of Representatives of the Congress of the United States.

Senate Joint Resolution No. 1 was read and adopted.

RESUMED THE CHAIR.

At eleven o'clock and ten minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

SENATE CONCURRENT RESOLUTION.

The following Senate Concurrent Resolution was taken up:

SENATE CONCURRENT RESOLUTION No. 4.

WHEREAS, The people of San Francisco, San José, Santa Rosa and other cities, and, indeed, the whole State of California, owe much to the military forces of the United States and to the National Guard of California for their efficient services rendered since the disaster of April 18, 1906; and

WHEREAS, It is fit and proper that recognition should be given in the most public manner, and due acknowledgment made, to the officers and men of both services, of the debt of gratitude owed them by the State; and

WHEREAS, Commencing at an early hour on the morning of April 18th last and continuing down to this date, the troops of the Regular Army, under the command of Major-General A. W. Greely and Brigadier-General Frederick Funston, have been tireless in the work of preserving order, suppressing turbulence, administering relief to the sick and needy, and improving sanitary conditions; and

WHEREAS, The troops of the Second Brigade of the National Guard of California were also on duty from an early hour of the first day of the great disaster, and the other brigades, as soon as they could be transported to the points where they were most needed, under the command of Adjutant-General J. B. Lanck, were also called on duty, and continued in the faithful performance of duty until such time as their presence was no longer needed. And while a great city was in flames and hundreds of thousands of people had suddenly been rendered homeless, the conduct of the officers and men of the National Guard was in the highest degree soldierly, efficient and creditable; be it

Resolved, That the people of the State of California, through its representatives in Senate and Assembly assembled, hereby makes public recognition of its grateful appreciation of the services rendered by the officers and men of the Regular Army and the National Guard in one of the greatest calamities that ever convulsed a brave, a resolute, and a resourceful people.

Concurrent resolution read, and, on motion of Mr. Weyand, was unanimously adopted.

Resolution ordered transmitted to the Senate.

RESOLUTIONS.

The following resolutions were submitted by the Committee on Ways and Means, and their adoption recommended:

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: Your Committee on Ways and Means recommend that the accompanying resolutions be adopted:

Resolved, That Clio Lloyd, Chief Clerk, and Jacob Steppacher, Minute Clerk, be and they are hereby authorized and directed to remain after the close of the thirty-sixth (extra) session of the Legislature for the purpose of correcting and approving the Assembly register of Senate and Assembly action on Assembly bills; to compile, compare, and have printed in connection with the Secretary of the Senate a final calendar of all legislative business of both the Senate and Assembly of the thirty-sixth (extra) session of the Legislature, such as is usually issued by the Legislature. For the purpose of carrying out this work the sum of three hundred dollars (\$300) is hereby allowed to the said Clio Lloyd and fifty dollars (\$50) to the said Jacob Steppacher, and the State Controller is hereby directed to immediately draw his warrant in favor of said persons in said sums against the Contingent Fund of the Assembly and the Treasurer is hereby directed to pay the same.

Resolved, That C. A. Thompson, T. G. Walker, Edward Hinkle, Ed. Smith, R. L. Dempsey, W. C. Guirey be and they are hereby authorized and directed to remain after the close of the thirty-sixth (extra) session of the Legislature for the purpose of assisting the Chief Clerk in correcting and approving the Assembly register of Senate and Assembly action on Assembly bills; to compile, compare, and have printed in connection with the Secretary of the Senate a final calendar of all legislative business of both the Senate and Assembly of the thirty-sixth (extra) session of the Legislature, such as is usually issued by the Legislature. The parties above named are allowed the amounts set opposite their respective names, as follows: C. A. Thompson, \$25; T. G. Walker, \$25; Ed. Hinkle, \$25; Ed. Smith, \$25; R. L. Dempsey, \$35; W. C. Guirey, \$35. And the State Controller is hereby directed to draw his warrants in favor of said persons in the said respective sums against the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Resolved, That the Postmistress, Pauline Smith, be and she is hereby directed to remain at the Capitol for three days after the final adjournment of the Assembly for the purpose of caring for the mail and sending the same to the members and others, and that she be allowed fifteen dollars (\$15) therefor, payable out of the Contingent Fund of the Assembly, and the State Controller is hereby directed to draw his warrants in payment of the same, and the State Treasurer is hereby authorized to pay the same.

Resolved, That J. T. Stafford, Sergeant-at-Arms of the Assembly; Ben Cohn, Assistant Sergeant-at-Arms; C. W. Haub, Bookkeeper, and John Kofod, Porter, be and they are hereby employed after the final adjournment of the Assembly for the purpose of completing the work devolving upon the Sergeant-at-Arms in turning over to the Secretary of State the books, papers, and personal property in his charge and in closing up all accounts and completing the duties of his office with the State Controller. The parties above named are allowed the amounts set opposite their respective names, as follows: J. T. Stafford, \$30; C. W. Haub, \$15; Ben Cohn, \$15; John Kofod, \$10; and the Controller is hereby directed to draw his warrants out of the Contingent Fund of the Assembly for said amounts in favor of said persons, and the State Treasurer is hereby directed to pay the same.

Resolved, That the sum of four hundred (\$400) dollars is hereby appropriated from the Contingent Fund of the Assembly for the purpose of storing, drayage, and taking up carpet and all furniture belonging to the Assembly Chamber and committee rooms, the express charges on books to be sent to the members of the Assembly, and the liquidation of such bills as shall be owing by the Assembly. The Controller is hereby authorized and directed to draw his warrant in favor of J. T. Stafford, Sergeant-at-Arms of the Assembly, for the above amount, four hundred dollars (\$400), and the State Treasurer is hereby authorized and directed to pay the same.

STANTON, Chairman

Resolutions read, and on motion of Mr. Transue they were adopted.

SPEAKER RESUMES THE CHAIR.

Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair at eleven o'clock and fifteen minutes A. M.

MOTION.

Mr. Creighton moved that the Acting Speaker appoint a committee of three members to call upon the Senate, and inform that body that

the Assembly was about to adjourn, and inquire if it had any further business with this body.

Motion carried.

The Acting Speaker thereupon appointed Messrs. Creighton, Hartman, and Strohl as such committee.

Mr. Burke moved that the Acting Speaker appoint a committee of three members to call upon the Governor and notify His Excellency that this body was about to adjourn *sine die*, and would be pleased to receive any further communication he might care to make.

Motion carried.

Whereupon the Acting Speaker appointed Messrs. Burke, Jones of Tuolumne, and Coyle as such committee.

REPORT OF COMMITTEE TO GOVERNOR.

The committee this day appointed to notify the Governor of the Assembly's intention to shortly adjourn *sine die*, reported that His Excellency would forthwith communicate in writing.

CALLED TO THE CHAIR.

At eleven o'clock and twenty minutes A. M., the Acting Speaker called Mr. John to the chair.

MESSAGES FROM THE GOVERNOR.

The following were received from the Governor and read:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, June 12, 1906.

To the Assembly of the State of California:

I have the honor to inform your honorable body that I have approved Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings, and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

GEO. C. PARDEE,
Governor of the State of California.

Also:

EXECUTIVE DEPARTMENT, STATE OF CALIFORNIA.
SACRAMENTO, June 12, 1906.

To the Senate and Assembly:

GENTLEMEN: Now that you have reached the conclusion of your labors in the extraordinary session called as a consequence of the late unparalleled disaster, it gives me great pleasure to address you, before final adjournment is taken, a few words of acknowledgment and congratulation.

The Senate and Assembly were called together for the purpose of meeting, by legislation, some of the new conditions so suddenly created and of preventing certain threatening dangers. The measures which had been suggested, and to which I directed attention in my message, were emergency measures, calling for prompt and decisive action. It gratifies me to be able to say that the Legislature has risen to the occasion, and by the promptitude and the vigor of its acts has proved itself competent to deal with the situation. It has furnished an example of diligence and devotion to duty which must long be regarded as a model. I do not believe there is any record of legislative bodies which have worked harder or accomplished more in a space of time as brief as that occupied by this session.

During the first two days of the meeting five especially urgent measures were passed and became laws, safeguarding business interests which, until that action was

taken, could only be protected by proclaiming every day a holiday, in order that valuable rights might not lapse and be lost. In the eleven days which have passed since the Legislature convened more than sixty bills have been passed, and notwithstanding the brevity of the time in which this has been accomplished, I am convinced that these measures have been studied as carefully as legislative measures usually are. Some of the new Acts are experimental in character, and necessarily so, because they are designed to meet conditions with which we have had no previous experience, and if imperfections should be developed it would not be strange; no foresight is keen enough to anticipate all possible difficulties; but I am satisfied that the Legislature has done all which could have been done by any body of men working under the trying conditions which have confronted you.

In my call for the extraordinary session I enumerated thirty-four different subjects to be covered by the enactment of statutes or the submission of constitutional amendments, and about thirty of these subjects have been so covered. In the other instances it has been decided, after careful deliberation, that it would be wisest not to act. In addition to emergency and remedial measures rendered necessary by the interruption to many forms of business, the Legislature has passed the required acts of appropriation for State institutions which suffered serious damage, and for various courts, boards, commissions, and offices, crippled by the loss of property. In the cases of several of the State institutions whose buildings were partially or totally destroyed, the provision made is temporary, because more thorough study is needed before it can be decided on what lines permanent reconstruction can best be attempted, and this determination to proceed deliberately is highly commendable. One of the important acts of the session is the making of a liberal appropriation for a State building in San Francisco, in which can be suitably housed the courts, commissions, and officers hitherto accommodated in rented quarters. Another appropriation will provide for the reconstruction, at least in part, of the burned structures of the State Harbor Commission.

It is a cause for especial congratulation that these and the other necessary appropriations, including one for the payment of expenses of the National Guard, have been made without compelling the alteration of the tax levy fixed at the last regular session. Thus, the only increase in the State tax rate of the coming year over what had been expected when the levy was fixed will be that arising from the decrease of the assessment roll caused by the San Francisco calamity, and there is reason to hope this will not be great enough to raise the rate of taxation more than a few cents above the normal rate. This good fortune is due to the prudence of the Legislature manifested at the two preceding sessions by raising by taxation sufficient money to leave a good cash balance in the General Fund, whereby it is enabled to stand the large extraordinary drafts now made upon it.

Although comparisons are seldom in good taste, it will not be improper to point out that the extraordinary session now closing has not only been the briefest, but also the most efficient and one of the least expensive of all of the five extraordinary sessions of the Legislature of this State. In some instances those sessions have extended to nearly two months of time, while the session of 1900, the briefest until this one, lasted twelve days, as compared with the eleven days of the present session. Measured by the amount of work accomplished, the record is even more favorable, since the number of bills passed is more than twice as great as that in any preceding extraordinary session, although the time consumed has been so much less. As compared with a majority of previous extraordinary sessions, it may be said that this one has done twice the work in one half the time.

Upon this record the Legislature may rest content, and I feel sure that it will receive the public commendation which it so well deserves.

I congratulate you again, and feel sure that your labors, so well performed, will result in great good, not only directly to the cities and communities that suffered under the great catastrophe, but indirectly also to the people of the whole State.

GEO. C. PARDEE,
Governor of the State of California.

RESUMED THE CHAIR.

At eleven o'clock and thirty minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

REPORT OF SPECIAL COMMITTEE TO NOTIFY SENATE.

The special committee appointed this day to notify the Senate of the Assembly's intention to shortly adjourn *sine die*, reported that the Senate had no further business to transact with this body. The committee was thereupon discharged.

REPORT OF STANDING COMMITTEE.

The following report of standing committee was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 81—An Act to facilitate the erection of a building or buildings and the obtaining of a site or sites therefor at San Francisco for the use of the officers, commissions, boards and departments of the State government maintaining headquarters in said city, by providing against a deficit in the General Fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.

Also: Assembly Bill No. 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates, lost or destroyed by conflagration or other public calamity.

Also: Assembly Bill No. 79—An Act relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

Also: Assembly Concurrent Resolution No. 5—Relating to printing the laws, amendments to the codes and proposed constitutional amendments for free distribution by the Secretary of State.

Also: Assembly Bill No. 78—An Act to amend Section 1670 of the Political Code, relating to the organization and establishment of high schools, and the powers of boards of education or boards of school trustees in issuing bonds.

Also: Assembly Bill No. 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery, and supplies for the District Court of Appeal of the First District.

And presented the same to the Governor on this day, at eleven o'clock and twenty minutes A. M.

DEVLIN, Chairman.

CALLED TO THE CHAIR.

At eleven o'clock and thirty-five minutes A. M., the Acting Speaker called Mr. Beckett to the chair.

RESOLUTION.

Mr. Bates offered the following resolution, and moved its adoption:

Resolved, That the thanks of the Assembly be tendered to its Speaker, Hon. Thos. E. Atkinson, for the uniform courtesy shown by him to all the members.

Resolution read and adopted.

RESUMED THE CHAIR.

At eleven o'clock and forty-five minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

READING AND APPROVAL OF JOURNAL.

The Journal of Monday, June 11, 1906, was read, corrected, and as corrected approved.

RESOLUTIONS.

The following resolutions were offered:

By Mr. Gates:

Resolved, That the thanks of the Assembly be and are hereby extended to Clio Lloyd, our Chief Clerk, and his very able corps of assistants, for the very prompt and efficient discharge of their duties.

Resolution read and adopted.

Also:

Resolved, That the thanks of this Assembly be extended to our ever-ardent, accommodating and faithful Sergeant-at-Arms, Jack Stafford.

Resolution read and adopted.

CALLED TO THE CHAIR.

At eleven o'clock and fifty minutes A. M., the Acting Speaker called Mr. Dorsey to the chair.

REPORT OF STANDING COMMITTEE.

The following committee report was received and read:

ON ENGROSSMENT AND ENROLLMENT.

ASSEMBLY CHAMBER, SACRAMENTO, June 12, 1906.

MR. SPEAKER: Your Committee on Engrossment and Enrollment have examined and found correctly enrolled Assembly Bill No. 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools and providing for its distribution," approved March 2, 1903, and amended March 6, 1905, by amending Section 5 thereof, relating to the apportionment of said fund.

Also: Assembly Bill No. 76—An Act appropriating twenty-five hundred dollars for restoring certain records and refitting and refurnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

Also: Assembly Constitutional Amendment No. 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco, relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.

And presented the same to the Governor on this day, at eleven o'clock and fifty-five minutes A. M.

DEVLIN, Chairman.

APPROVAL OF MINUTES.

The minutes of the Journal of the day were read, and on motion duly made and carried, were approved.

REMARKS BY MEMBERS.

The following members addressed the Assembly and related many pleasant experiences during this short session of the Legislature; they also felt called upon to commend both houses upon their excellent work in legislation: Messrs. McGowan, Coghlan, Pryor, John, Houser, Manwell, Devlin, Busick, and McKenney.

RESUMED THE CHAIR.

At eleven o'clock and fifty-eight minutes A. M., Hon. Thos. E. Atkinson, Acting Speaker, resumed the chair.

FINAL ADJOURNMENT.

The hour of twelve o'clock meridian having arrived, it being the time heretofore set by both houses of the Legislature of the State of California for final adjournment of the extra session of the thirty-sixth Legislature, the Hon. Thos. E. Atkinson, Acting Speaker of the Assembly, addressed the members, as follows:

Gentlemen of the Assembly.

The hour of adjournment of this extra session of the thirty-sixth Legislature of the State of California, in accordance with the action of the two houses, has arrived. Before exercising the final duty which devolves upon me as your presiding officer, I desire to thank the members of this Assembly for the honor which they have conferred upon me,

and for the kind and courteous manner which you have ever exercised toward me. I have endeavored to rule with impartiality and for the best interest of all. If I have erred in judgment, I can but hope that you will excuse the same, as it was not done with any feeling other than that for the proper discharge of my duty.

The success of this session, I believe, has been pronounced, and we are able at this time to close our labors and return to our constituents feeling that we have performed our duty well, and that we should receive generous consideration from them.

Hoping none but pleasant memories may remain with you, as they certainly will with me, and again thanking you for the honor conferred upon me, I will now adjourn the extra session of the thirty-sixth Legislature *sine die*.

THOMAS E. ATKINSON,

Speaker of the Assembly.

CLIO LLOYD,

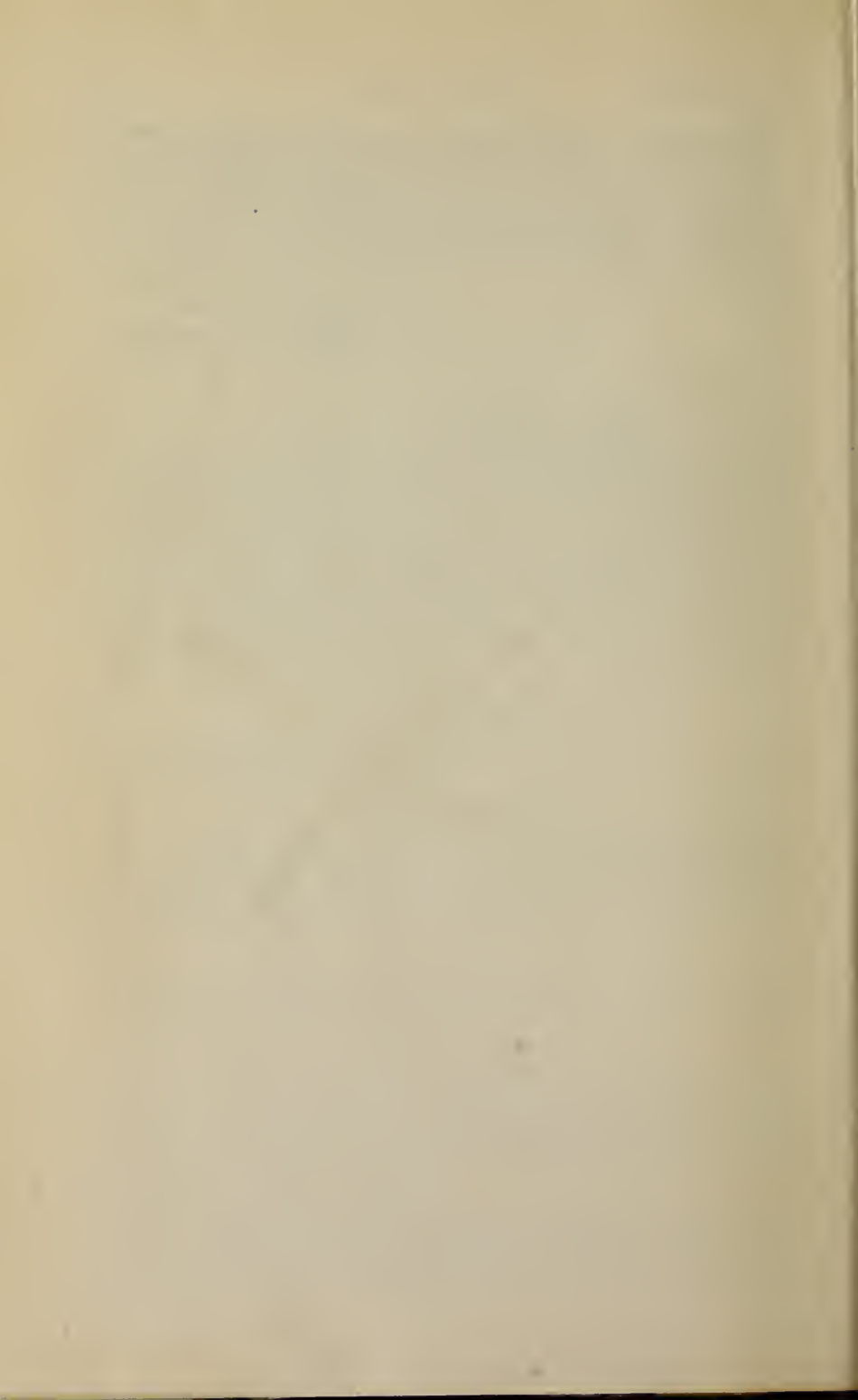
Chief Clerk of the Assembly.

J. STEPPACHER,

Minute Clerk of the Assembly.

R. L. DEMPSEY,

Journal Clerk of the Assembly.



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INDEX TO ASSEMBLY BILLS.

The figures refer to pages of the Journal; those pages marked with an asterisk (*) refer to the Senate Journal.

- 1—An Act to amend the Political Code by adding a new section thereto, to be numbered 597a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.
In Assembly: June 2—Introduced by San Francisco Delegation, 14; ordered on file, 14; read first time, and sent to printer with a rush order, 14; made special order, 14; made case of urgency, read second time, considered engrossed, read third time, passed, title approved, and to Senate, 26.
In Senate: June 2—Assembly message, 18*; made case of urgency, read first and second times, amended, 18*. June 3—Read third time, passed, and to Assembly, 28*.
In Assembly: June 3—Senate message, 41; Senate amendments concurred in, and to enrollment, 42; reported correctly enrolled, 46. June 4—Approved by Governor, 53.
- 2—An Act validating acts done or performed on legal holidays.
In Assembly: June 2—Introduced by San Francisco Delegation, 14; ordered on file, 14; read first time, and sent to printer with a rush order, 14; made special order, 14; referred to Judiciary Committee, 26. June 5—From committee, with recommendation author withdraw, withdrawn by author, 60.
- 3—An Act to amend Section 3764 of the Political Code, relating to the publication of the delinquent list.
In Assembly: June 2—Introduced by San Francisco Delegation, 14; ordered on file, 14; read first time, and sent to printer with a rush order, 14; made special order for 8 p. m., 14; made case of urgency, read second time, amended, ordered engrossed, 27; made special order, 28; reported correctly engrossed, 32; read third time, passed, title approved, and to Senate, 33.
In Senate: June 2—Assembly message, 19*; read first, second and third times, passed, and to Assembly, 19*; recalled from Assembly, title amended, and to print, 20*.
In Assembly: June 3—Senate message, 41; Senate amendments concurred in, and to enrollment, 42; reported correctly enrolled, 46. June 4—Approved by Governor, 53.
- 4—An Act extending the time within which to perform acts in judicial proceedings.
In Assembly: June 2—Introduced by San Francisco Delegation, 14; ordered on file, 14; read first time, and sent to printer with a rush order, 14; made special order, 14; made case of urgency, read second time, amended, 27; ordered engrossed, 28; made special order, 28; reported correctly engrossed, 32; read third time, passed, title approved, and to Senate, 33.
In Senate: June 3—Read first time, 19*; referred to Committee on Judiciary, 19*. June 4—From committee, with recommendation do not pass, 37*. June 8—Ordered stricken from file, 80*.
- 5—An Act entitled "An Act appropriating \$123,392.31 to reimburse the Regents of the University of California for the loss of income from the shrinkage of the two-cent tax and for the loss of dividends on certain shares of capital stock of certain corporations, necessary for the maintenance of the University of California."
In Assembly: June 2—Introduced by Mr. Bliss, 14; referred to Committee on Universities, 14; read first time, 14. June 5—Referred to Committee on Ways and Means, 65. June 11—From committee, with recommendation author withdraw, 184; withdrawn by author, 184.
- 6—An Act entitled "An Act appropriating \$8,600.00 to the Regents of the University of California to enable them to repair certain damages to the Dental, Medical, Western, and Veterinary buildings of the Affiliated Colleges, which said buildings are the property of, and necessary to the maintenance of the University of California."
In Assembly: June 2—Introduced by Mr. Bliss, 14; referred to Committee on Ways and Means, 65. June 11—From committee, with recommendation author withdraw, 184; withdrawn by author, 184.

- 7—An Act entitled "An Act appropriating \$27,039.86 to enable the Regents of the University of California to restore certain property damaged and destroyed upon the campus and in the departments of architecture, astronomy, chemistry, music, physics, printing office, museum, dental clinics, college of pharmacy, medical, medical 'out-patient' section, stationery, anthropology, publications, library, Wilmerding School, and Lick Observatory, which said property is necessary for the maintenance of the University of California."
In Assembly: June 2—Introduced by Mr. Bliss, 15; referred to Committee on Universities, 15; read first time, 15. June 5—Referred to Committee on Ways and Means, 65. June 11—From committee with recommendation author withdraw, 184; withdrawn by author, 184.
- 8—An Act entitled "An Act appropriating \$41,480 to reimburse the Regents of the University of California for the loss of income on property destroyed in the city and county of San Francisco, belonging to and necessary for the maintenance of the University of California."
In Assembly: June 2—Introduced by Mr. Bliss, 15; referred to Committee on Universities, 15; read first time, 15. June 5—Re-referred to Committee on Ways and Means, 55. June 9—Made case of urgency, 132. June 11—From committee, with recommendation author withdraw, 184; withdrawn by author, 184.
- 9—An Act entitled "An Act appropriating \$8,641.50, to reimburse the Regents of the University of California, for the loss of income on property destroyed in the city and county of San Francisco, belonging to and necessary for the maintenance of the University of California."
In Assembly: June 2—Introduced by Mr. Bliss, 15; referred to Committee on Universities, 15; read first time, 15. June 5—Re-referred to Committee on Ways and Means, 55. June 11—From committee, with recommendation author withdraw, 184; withdrawn by author, 184.
- 10—An Act to provide for the establishment of land titles in cases of loss or destruction of records.
In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 5—From committee, with recommendation do pass as amended, 57; read second time, amended, ordered engrossed, 59. June 6—Reported correctly engrossed, 73; passed on file, 73.
- 11—An Act to add a new section to the Code of Civil Procedure to be known as Section 1855a, relating to secondary evidence of lost or destroyed documents.
In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 4—From committee, with recommendation do pass as amended, 49; read second time, amended, and ordered engrossed, 49-60. June 5—Reported correctly engrossed, 65; read third time, passed, title approved, and to Senate, 66.
In Senate: June 6—Assembly message, 58*; read first time, and referred to Committee on Judiciary, 58*. June 9—From committee, with recommendation do pass as amended, 108*; read second time, amended, made case of urgency, 109*; read third time, passed, and to Assembly, 114*.
In Assembly: June 9—Senate amendments concurred in, 175; to enrollment, 159 and 175. June 12—Reported correctly enrolled, 196.
- 12—An Act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed.
In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 4—From committee, with recommendation do pass as amended, 49; read second time, amended, ordered engrossed, 49-60. June 5—Reported correctly engrossed, 65; read third time, passed, title approved, and to Senate, 67.
In Senate: June 5—Assembly message, 58*; read first time, and referred to Committee on Judiciary, 58*. June 8—From committee, with recommendation do pass, made case of urgency, 91*; read second and third times, passed, and to Assembly, 92*.
In Assembly: June 8—To enrollment, 118. June 9—Reported correctly enrolled, 151.
- 13—An Act providing for the disposition of actions and proceedings in which the record of the proceedings upon the trial thereof has been lost or destroyed.
In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 8—From committee, with recommendation do pass as amended, 94; read second time, amended, ordered engrossed, 95. June 9—Reported correctly engrossed, 130; made case of urgency, 132. June 11—Withdrawn by author, 176.
- 14—An Act to amend Section 625 of the Code of Civil Procedure, relating to when a general or special verdict may be rendered.
In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 5—From committee, with

recommendation do pass, 57; read second time, ordered engrossed, 60. June 6—Passed on file, 74. June 8—Reported correctly engrossed, 120. June 9—Read third time, passed, title approved and to Senate, 152.

In Senate: June 9—Referred to Committee on Judiciary, 117*.

- 15—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies, and a library for the Supreme Court.

In Assembly: June 2—Introduced by Mr. Treadwell, 15; referred to Committee on Judiciary, 15; read first time, 15. June 7—From committee, without recommendation, referred to Committee on Ways and Means, 79. June 8—From committee, with recommendation do pass, 99; read second time, 99. June 9—Withdrawn by author, 151.

- 16—An Act to appropriate \$4,605 to repay certain nine hundred and twenty-one corporations five dollars each, for money erroneously collected by the Secretary of State as a penalty for the non-payment of the annual license tax prior to the eighth day of August, 1905, said penalty having been erroneously collected between and including the eighth day of August, 1905, and the twelfth day of October, 1905, as appears in the decision of the Supreme Court in the case of Ukiah Guaranty, etc., Co. vs. Charles F. Curry, Secretary of State, San Francisco No. 4422.

In Assembly: June 2—Introduced by Mr. Stanton, 15; referred to Committee on Ways and Means, 16; read first time, 16. June 7—From committee, with recommendation do pass, 80. June 11—Withdrawn by author, 170.

- 17—An Act to amend Section 1238 of the Code of Civil Procedure, relating to the purposes for which the right of eminent domain may be exercised.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16; read first time, 16. June 6—From committee, with recommendation do pass as amended, 70. June 7—Read second time, amended, and ordered engrossed, 89. June 8—Reported correctly engrossed, 91. June 11—Passed on file, 173.

- 18—An Act to amend Section 1054 of the Code of Civil Procedure, relating to the power of courts to extend the time within which certain acts must be performed.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16; read first time, 16. June 5—From committee, with recommendation author withdraw, 57; withdrawn, 60.

- 19—An Act to amend an Act entitled "An Act creating a Board of Bank Commissioners, and prescribing their duties and powers," approved March 24, 1903, by amending Section 10 thereof, relating to the duties and powers of said Board of Bank Commissioners and proceedings in connection therewith.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Banks and Banking, 16; read first time, 16. June 5—From committee, with recommendation do pass, 65; read second time, ordered engrossed, 66. June 6—Passed on file, 76. June 8—Reported correctly engrossed, 120. June 11—Withdrawn by author, 172.

- 20—An Act to amend Sections 337 and 339 of the Code of Civil Procedure, relating to the time for commencing actions other than for the recovery of real property.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16; read first time, 16. June 5—From committee, with recommendation author withdraw, 57; withdrawn, 60.

- 21—An Act to amend Section 1636 of the Political Code of the State of California, relating to school census.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16; read first time, 16. June 7—From committee, with recommendation do pass as amended, 79. June 9—Withdrawn by author, 151.

- 22—An Act to add a new section to the Political Code of the State of California, to be known as Section 169a, relating to substitutes for school records and registers destroyed by conflagration or other public calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Education, 16; read first time, 16. June 8—From committee without recommendation, 91; withdrawn by author, 91.

- 23—An Act to amend an Act entitled "An Act creating a fund for the benefit and support of high schools, and providing for its distribution," approved March 2, 1903, by amending Section 5 thereof, relating to the apportionment of said fund.

In Assembly: June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Education, 16; read first time, 16. June 6—From committee, with recommendation do pass as amended, 69. June 7—Read second time,

- amended, and ordered engrossed, 88. June 8—Reported correctly engrossed, 91. June 11—Read third time, passed, title approved, and to Senate, 173.
- In Senate:* June 11—Assembly message, 122*; made case of urgency, 129*; read first, second, and third times, passed, and to Assembly, 131*.
- In Assembly:* June 12—To enrollment, 200; reported correctly enrolled, 206.
- 24—An Act to amend an Act entitled "An Act to establish a tax on gifts, legacies, inheritances, bequests, devises, successions, and transfers, to provide for its collection and to direct the disposition of its proceeds; to provide for the enforcement of liens created by this Act and for suits to quiet title against claims of lien arising hereunder; to repeal an Act entitled 'An Act to establish a tax on collateral inheritances, bequests and devises, to provide for the collection, and to direct the disposition of its proceeds,' approved March 23, 1893, and all amendments thereto, and all Acts and parts of Acts in conflict with this Act," approved March 20, 1905, by amending Sections 2, 4, and 9 thereof.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 16; referred to Committee on Judiciary, 16; read first time, 16. June 9—From committee, with recommendation author withdraw, 153; withdrawn, 153.
- 25—An Act to add a new section to the Political Code of California, to be known as Section 1892, relating to the issuance of teachers' certificates lost or destroyed by conflagration or other public calamity.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Education, 17; read first time, 17. June 6—From committee, with recommendation do pass as amended, 70. June 7—Read second time, amended, and ordered engrossed, 88. June 8—Reported correctly engrossed, 91. June 9—Read third time, passed, title approved, and to Senate, 150.
- In Senate:* June 9—Read first time, 113*; report of committee, 124*; made case of urgency, 129*; read second and third times, passed, and to Assembly, 132*.
- In Assembly:* June 11—To enrollment, 185. June 12—Reported correctly enrolled, 205.
- 26—An Act to amend Section 3705 of the Political Code of the State of California, providing for the extension, by the State Board of Equalization, of the time in which certain boards and officials shall perform certain acts.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Revenue and Taxation, 17; read first time, 17. June 5—From committee, with recommendation do pass, 68. June 6—Read second time and ordered engrossed, 72. June 7—Reported correctly engrossed, 79. June 9—Withdrawn by author, 151.
- 27—An Act to add a new section to the Code of Civil Procedure, to be known as Section 904a, relating to executions issuing out of justices' courts.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Judiciary, 17; read first time, 17. June 5—From committee, with recommendation do pass as amended, 58; read second time and ordered engrossed, 60. June 6—Reported correctly engrossed, 73; read third time, passed, title approved, and to Senate, 74.
- In Senate:* June 6—Assembly message, 63*; read first time, referred to Committee on Judiciary, 63*. June 7—From committee, with recommendation do pass, 71*. June 8—Made case of urgency, 78*; read second time, amended, 82*; read third time, passed, and to Assembly, 82*.
- In Assembly:* June 8—Senate amendments concurred in, to enrollment, 118. June 9—Reported correctly enrolled, 151.
- 28—An Act to amend Section 867 of the Code of Civil Procedure, relating to undertakings on attachment in justices' courts.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Judiciary, 17; read first time, 17. June 5—From committee, with recommendation do not pass, 58; read second time, and ordered engrossed, 61. June 6—Passed on file, 76. June 8—Reported correctly engrossed, 120. June 9—Withdrawn by author, 151.
- 29—An Act to extend the time for filing with the Insurance Commissioner statements of insurance business transacted during the year ending December 31, 1905, within the time prescribed by law, and to remit penalties for failing to file the same.
- In Assembly:* June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Insurance and Insurance Laws, 17; read first time, 17. June 4—From committee, with recommendation do pass, read second time, and ordered engrossed, 50. June 5—Reported correctly engrossed, 65; read third time, passed, title approved, and to Senate, 67.
- In Senate:* June 5—Assembly message, 58*; read first time, to Committee on Judiciary, 58*. June 7—From committee, with recommendation do pass, 62*. June 8—Made case of urgency, 78*; read third time, passed, 80*; reconsidered, 89*; passed and to Assembly, 89*.
- In Assembly:* June 8—To enrollment, 118. June 9—Reported correctly enrolled, 151.

- 30—An Act to authorize and provide for the transfer to the United States of the title to and the jurisdiction over certain tide lands in San Diego Bay, San Diego County, State of California, and to empower the Board of State Harbor Commissioners for the Bay of San Diego as the agent of the State to make such transfer.

In Assembly: June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Judiciary, 17; read first time, 17. June 9—From committee, with recommendation author withdraw, 153; withdrawn, 153.

- 31—An Act to furnish, grant, convey and relinquish to the United States of America the right of way now obtained, by the Commissioner of Public Works under an Act of the Legislature approved March 25, 1903, entitled "An Act authorizing the Commissioner of Public Works to obtain a right of way for a canal to divert the waters of Mormon Channel into the Calaveras River, to maintain condemnation suits therefor, and making an appropriation to pay for said right of way and the costs and expenses of obtaining the same," and under other laws of the State of California, for the purpose of the construction and completion in San Joaquin County by the United States of America on and within such right of way of a diverting canal from the Mormon Channel to the Calaveras River east of the City of Stockton and along the channel of the Calaveras River to the San Joaquin River, and to authorize the Commissioner of Public Works and the Governor of the State to execute conveyances in accord therewith.

In Assembly: June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Judiciary, 17; read first time, 17. June 9—From committee with recommendation author withdraw, 153; withdrawn by author, 153.

- 32—An Act to amend Section 1617 of the Political Code, relating to public schools.

In Assembly: June 2—Introduced by San Francisco Delegation, 17; referred to Committee on Education, 17; read first time, 17. June 6—From committee, with recommendation do pass as amended, 70. June 7—Read second time, amended, and ordered engrossed, 88. June 8—Reported correctly engrossed, 91. June 9—Withdrawn, 151.

- 33—An Act to add a new section to the Civil Code, to be known as Section 7a, relating to holidays.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18; read first time, 18. June 5—From committee, with recommendation author withdraw, 58; withdrawn, 60.

- 34—An Act to amend an Act entitled "An Act relating to revenue and taxation, providing for a license tax upon corporations, and making an appropriation for the purpose of carrying out the objects of this Act," approved March 20, 1905, by amending Sections 1, 2, 3, 4, 5, 6, 7, 8, and 9 thereof, and by adding a new section thereto, to be known as Section 10a, relating to a license tax upon corporations and making provision for settling the affairs of corporations where said tax has not been paid.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Revenue and Taxation, 18; read first time, 18. June 5—From committee, with recommendation do pass, 68. June 6—Read second time, and ordered engrossed, 72. June 7—Reported correctly engrossed, 79. June 8—Read third time, and amended under special instructions, 119; Mr. Chandler gave notice of motion to reconsider, 120. June 9—Reported correctly re-engrossed, 131; withdrawn by author, 151.

- 35—An Act to add a new section to the Code of Civil Procedure to be known as Section 1045a, relating to the restoration of court records which have been or shall hereafter be lost or destroyed or injured by conflagration or other public calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18; read first time, 18. June 8—From committee, 94; Assembly Bill No. 79 substituted, 95.

- 36—An Act to amend the Code of Civil Procedure by adding four new sections thereto, to be known as Sections 1045a, 1045b, 1045c, 1045d, relating to the restoration of court records which have been lost, injured or destroyed by conflagration or other public calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18; read first time, 18. June 8—From committee, 94; Assembly Bill No. 79 substituted, 95.

- 37—An Act to add a new section to the Political Code to be known and numbered as Section 4248, relating to county and city and county recorders' offices, and to the recording of instruments therein.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18, read first time, 18. June 7—From committee, with recommendation do pass as amended, 79. June 9—Read second time,

amended, ordered engrossed, 144; made case of urgency, 132; reported correctly engrossed, read third time, passed, title approved, and to Senate, 160.

In Senate: June 11—Read first time, ordered on file, 122*; made case of urgency, 129*; referred to Committee on Judiciary, 130*; indefinitely postponed, 152*.

- 38—An Act to provide for the copying of books, documents, maps, or records required by law to be kept or preserved by city, county, or city and county officers, which have been damaged or mutilated by conflagration or other public calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18; read first time, 18. June 7—From committee, with recommendation do pass as amended, 79. June 9—Read second time, 144; amended, ordered engrossed, and made case of urgency, 132; reported correctly engrossed, read third time, passed, title approved, and to Senate, 153.

In Senate: June 11—Read first time, 122*; made case of urgency, 129*; read second and third times, passed, 130*.

In Assembly: June 11—To enrollment, 179. June 12—Reported correctly enrolled, 196.

- 39—An Act to add a new section to the Code of Civil Procedure, to be known as Section 364, relating to proceedings in cases where the complaint or petition or other document, by which an action or special proceeding has or may be commenced, has been or may be lost, injured or destroyed, by conflagration or other calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 18; read first time, 18. June 9—From committee, with recommendation do pass as amended, 135; read second time, amended, and ordered engrossed, 136; reported correctly engrossed, 152. June 11—Read third time, passed, title approved, and to Senate, 173.

In Senate: June 11—Assembly message, 123*; made case of urgency, 129*; referred to Committee on Judiciary, 132*; indefinitely postponed, 152*.

- 40—An Act to restore records or titles to real property which have been or may hereafter be lost, injured or destroyed by conflagration or other public calamity, and to quiet the title to the owners of such real property.

In Assembly: June 2—Introduced by San Francisco Delegation, 18; referred to Committee on Judiciary, 19; read first time, 19. June 9—From committee, with recommendation author withdraw, 153; withdrawn by author, 153.

- 41—An Act to amend the Civil Code by adding a new section thereto, to be known as Section 365, relating to corporations.

In Assembly: June 2—Introduced by San Francisco Delegation, 19; referred to Committee on Corporations, 19; read first time, 19. June 6—From committee, with recommendation do pass, re-referred to Committee on Judiciary, 73. June 7—From committee, with recommendation do pass as amended, 79; read second time, amended, and ordered engrossed, 89. June 8—Reported correctly engrossed, 91. June 9—Withdrawn by author, 151.

- 42—An Act to amend the Code of Civil Procedure, by adding a new section thereto, to be known as Section 1952, relating to evidence.

In Assembly: June 2—Introduced by San Francisco Delegation, 19; referred to Committee on Judiciary, 19; read first time, 19. June 9—From committee, with recommendation author withdraw, 153; withdrawn, 153.

- 43—An Act to amend the Political Code by adding a new section thereto, to be numbered Section 97a, relating to statements to be furnished to the Insurance Commissioner by insurance companies.

In Assembly: June 2—Introduced by San Francisco Delegation, 19; referred to Committee on Insurance and Insurance Laws, 19; read first time, 19. June 5—From committee, with recommendation author withdraw, 66; withdrawn, 66.

- 44—An Act to amend Section 630 of the Political Code, relating to the contingent expenses of the Insurance Commissioner.

In Assembly: June 2—Introduced by Mr. McGowan, 19; referred to Committee on Insurance and Insurance Laws, 19; read first time, 19. June 6—Referred to Committee on Ways and Means, 70. June 7—From committee, with recommendation do pass, 80. June 9—Withdrawn by author, 151.

- 45—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 801a, relating to the dispensing with abstracts of title in all proceedings brought for the purpose of affecting, affirming, or establishing title to real estate where it shall appear that any of the original instruments sustaining such title are without the power of the party to produce and the record thereof has been lost, injured or destroyed by conflagration or other public calamity.

In Assembly: June 2—Introduced by San Francisco Delegation, 19; referred to Committee on Judiciary, 19; read first time, 19. June 9—From committee,

- with recommendation do pass, 135; made case of urgency, 154; read second time, read third time, passed, title approved, and to Senate, 162.
In Senate: June 11—Read first time, 122*; made case of urgency, 129*; temporarily passed on file, 130*; indefinitely postponed, 152*.
- 46—An Act making an appropriation to pay any deficiency and other necessary expenses in the appropriation for traveling and contingent expenses of the Insurance Commissioner for the fifty-seventh and fifty-eighth fiscal years.
In Assembly: June 2—Introduced by Mr. McGowan, 19; referred to Committee on Insurance and Insurance Laws, 19; read first time, 19. June 6—Re-referred to Committee on Ways and Means, 70. June 7—From committee, with recommendation do pass, 80. June 9—Withdrawn by author, 151.
- 47—An Act to amend Chapter VII of Title XIV of the Code of Civil Procedure of the State of California by adding a new section thereto, to be known as Section 1060 of said Code, relating to lost or destroyed negotiable certificates of deposit payable on demand, issued by a bank or banking institution.
In Assembly: June 2—Introduced by Mr. Drew, 19; referred to Committee on Banking, 19; read first time, 19. June 5—From committee, with recommendation do pass, re-referred to Committee on Judiciary, 65. June 6—Passed on file, 76. June 9—From committee, with recommendation author withdraw, 153; withdrawn, 151-153.
- 48—An Act to extend the time for the performance of any act or the taking of any proceeding appointed, required or limited by or in pursuance of law to be performed or taken on any day in the month of June, 1906, prior to the last day of said month, other than summary proceedings provided for in Sections 1159 to 1179 inclusive, of the Code of Civil Procedure, and criminal actions.
In Assembly: June 2—Introduced by Judiciary Committee, 28; ordered on file, read first time, 28; made special order, 28; made case of urgency, read second time, considered engrossed, read third time, passed, title approved, and to Senate, 34.
In Senate: June 2—Read first time, referred to Committee on Judiciary, 23*. June 4—From committee, with recommendation do not pass, 37*. June 5—Ordered stricken from file, 80*.
- 49—An Act to provide for certain improvements and repairs at the Napa State Hospital, and making an appropriation therefor.
In Assembly: June 2—Introduced by Mr. King, 28; referred to Committee on Ways and Means, 28; read first time, 28. June 7—From committee, with recommendation do pass as amended, 80. June 11—Withdrawn by author, 170.
- 50—An Act to provide for certain improvements and repairs to the California Home for the Care and Training of Feeble-Minded Children, and making an appropriation therefor.
In Assembly: June 2—Introduced by Mr. Cronwell, 28; referred to Committee on Ways and Means, 28; read first time, 28. June 7—From committee, with recommendation do pass as amended, 80. June 9—Withdrawn by author, 151.
- 51—An Act to provide for certain improvements and repairs at the Mendocino State Hospital, and making an appropriation therefor.
In Assembly: June 2—Introduced by Mr. Held, 28; referred to Committee on Ways and Means, 28; read first time, 28. June 7—From committee, with recommendation do pass as amended, 80. June 9—Withdrawn by author, 151.
- 52—An Act to provide for certain improvements and repairs at the Agnews State Hospital, and making an appropriation therefor.
In Assembly: June 2—Introduced by Mr. Arnerich, 28; referred to Committee on Ways and Means, 28; read first time, 28. June 7—From committee, with recommendation do pass as amended, 80. June 9—Withdrawn by author, 151.
- 53—An Act making an appropriation for the contingent expenses of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.
In Assembly: June 2—Introduced by Mr. Stanton, 28; read first time, 29; made special order, 29; made case of urgency, read second time, considered engrossed, read third time, passed, title approved, and to Senate, 35.
In Senate: June 2—Read first time, made case of urgency, read second and third times, passed, title approved, and to Assembly, 24*.
In Assembly: June 4—To enrollment, 37; reported correctly enrolled, 46; approved by Governor, 53.
- 54—An Act making an appropriation for the pay of officers and clerks of the Assembly for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.
In Assembly: June 2—Introduced by Mr. Stanton, 29; read first time, 29;

made special order, 29; made case of urgency, read second time, considered engrossed, 44; read third time, passed, title approved, and to Senate, 45.

In Senate: June 4—Read first time, 34*; made case of urgency, read second and third times, passed, 36*.

In Assembly: June 4—Senate message, 52; to enrollment, 52; reported correctly enrolled, 62; approved by Governor, 71.

- 55—An Act making an appropriation to pay the per diem and mileage of Assemblymen for the extra session of the thirty-sixth Legislature of the State of California during the fifty-seventh fiscal year.

In Assembly: June 2—Introduced by Mr. Stanton, 29; read first time, 29; made special order, 29. June 3—Read second time, considered in Committee of the Whole, considered engrossed, made case of urgency, read third time, passed, title approved, and to Senate, 45.

In Senate: June 4—Read first time, 34*; made case of urgency, read second and third times, and passed, 37*.

In Assembly: June 4—To enrollment, 52. June 5—Reported correctly enrolled, 62. June 6—Approved by Governor, 71.

- 56—An Act amending subdivision eleventh of Section 1670 of the Political Code, relating to the powers of boards of education or boards of school trustees in issuing bonds.

In Assembly: June 2—Introduced by Mr. Jury, 29; referred to Committee on Education, 29; read first time, 29. June 4—From committee, with recommendation do pass, 50; read second time, and ordered engrossed, referred to Committee on Judiciary, 50. June 6—Passed on file, 72. June 7—Passed on file, 88. June 8—From committee, with recommendation do pass, Assembly Bill No. 78 as a substitute, 94; withdrawn by author, 95.

- 57—An Act to provide for certain improvements and repairs to the State Normal School at San José and making an appropriation therefor.

In Assembly: June 2—Introduced by Mr. Arnerich, 46; referred to Committee on Ways and Means, 46; read first time, 46. June 7—From committee, with recommendation do pass as amended, 80. June 9—Withdrawn by author, 151.

- 58—An Act to add a new section to the Political Code of the State of California to be known as Section 1690a.

In Assembly: June 4—Introduced by Mr. Slaven, 47; referred to Committee on Education, 47; read first time, 47. June 8—From committee, with recommendation do pass as amended, 91; read second time, amended, and ordered engrossed, 92; reported correctly engrossed, 122. June 11—Withdrawn by author, 170.

- 59—An Act making an appropriation to pay the claims for service, subsistence, supplies, transportation, and other expenses of the National Guard of California, called into service by order of the Governor in the months of April, May and June, 1906.

In Assembly: June 4—Introduced by Mr. Drew, 47; referred to Committee on Ways and Means, 47; read first time, 47. June 7—From committee, with recommendation do pass as amended, 80. June 9—Read second time, amended, ordered engrossed, 139; made case of urgency, 154; reported correctly engrossed, 152; read third time, passed, title approved, and to Senate, 159.

In Senate: June 11—Read first time, ordered on file, 122*; case of urgency refused, 134*. June 12—Indefinitely postponed, 152*.

- 60—An Act making an appropriation to provide for a deficiency in the postage, expressage, telegraphing, traveling and contingent fund of the Governor's office for the fifty-seventh fiscal year.

In Assembly: June 4—Introduced by Mr. Cromwell, 51; referred to Committee on Ways and Means, 51; read first time, 51. June 7—From committee with recommendation do pass as amended, 80. June 9—Read second time, amended, ordered engrossed, 145; made case of urgency, 132; reported correctly engrossed, read third time, passed, and to Senate, 161.

In Senate: June 11—Read first time, 122*; made case of urgency, 129*; read second and third times, and passed, 130*.

In Assembly: June 11—To enrollment, 179. June 12—Reported correctly enrolled, 196.

- 61—An Act making an appropriation for the purchase of law books for the Attorney-General.

In Assembly: June 4—Introduced by Mr. Stanton, 54; referred to Committee on Ways and Means, 54; read first time, 54. June 7—From committee, with recommendation do pass, 80. June 11—Withdrawn by author, 170.

- 62—An Act making an appropriation for the contingent expenses of the office of the Attorney-General.

In Assembly: June 4—Introduced by Mr. Stanton, 54; referred to Committee on Ways and Means, 54; read first time, 54. June 7—From committee, with recommendation do pass, 80. June 11—Withdrawn by author, 170.

- 63—An Act adding a new section to the Civil Code, to be known as Section 3415 providing for the proof, establishment, re-issuance, re-execution, and re-acknowledgment of private documents and instruments in writing, where the same have been lost or destroyed by conflagration or other public calamity.
In Assembly: June 5—Introduced by Mr. Treadwell, 63; referred to Committee on Judiciary, 63; read first time, 63. June 8—From committee, with recommendation do pass as amended, 94; read second time, amended, ordered engrossed, 94; reported correctly engrossed, 122. June 9—Read third time, passed, title approved, and to Senate, 160.
In Senate: June 11—Read first time, 122*; made case of urgency, 129*; read second and third times, passed, and to Assembly, 131*.
In Assembly: June 11—To enrollment, 179. June 12—Reported correctly enrolled, 196.
- 64—An Act appropriating \$4,500 to enable the California State Board of Pharmacy to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the California State Board of Pharmacy.
In Assembly: June 5—Introduced by Mr. Treadwell, 63; referred to Committee on Ways and Means, 63; read first time, 63. June 7—From committee, with recommendation do pass as amended, 80. June 9—Withdrawn by author, 158. June 11—Withdrawn by author, 170.
- 65—An Act relating to lost or destroyed bonds, debentures, certificates of deposits, acknowledgments, or evidences of indebtedness, policies of insurance, and certificates of stock or shares in corporations, associations and joint stock companies; providing a method of determining the loss or destruction; establishing the rights of any person therein or thereto, and for issuing new instruments of similar character in lieu of those lost or destroyed.
In Assembly: June 5—Introduced by Mr. Atkinson, 66; referred to Committee on Judiciary, 66; read first time, 66. June 9—From committee, with recommendation author withdraw, 153. June 11—Withdrawn by author, 176.
- 66—An Act appropriating eleven hundred and thirty-seven dollars and fifty cents (\$1,137.50) to enable the "State Dairy Bureau of California" to restore certain property damaged and destroyed, which said property is necessary for the maintenance of the State Dairy Bureau of California.
In Assembly: June 5—Introduced by Mr. Bliss, 66; referred to Committee on Ways and Means, 66; read first time, 66. June 11—From committee, with recommendation that author withdraw, 184; withdrawn by author, 184.
- 67—An Act appropriating \$4,500 to enable the Board of Medical Examiners of the State of California to restore certain property and records destroyed by fire, which said property and records are necessary for the business of the office of the Board of Medical Examiners of the State of California.
In Assembly: June 7—Introduced by Mr. Bates, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 8—From committee, with recommendation do pass as amended, read second time, amended, 116; made special order, 117; correctly engrossed, made case of urgency, 125; read third time, amended under special instructions, 125; made special order for June 9, 126. June 9—Reported correctly re-engrossed, 140; Senate Bill No. 68 substituted.
- 68—An Act to amend the Code of Civil Procedure by adding a new section thereto, to be known as Section 751a, relating to evidence in actions, proceedings or applications to determine, establish, register, or quiet title to real estate in this State, where it shall appear that any of the original instruments supporting such title are not within the power of the parties to produce and the original record of such title, or any portion thereof, has been lost, injured or destroyed.
In Assembly: June 7—Introduced by Mr. McCartney, 81; referred to Committee on Judiciary, 81; read first time, 81. June 9—From committee, with recommendation author withdraw, 153. June 11—Withdrawn by author, 176.
- 69—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.
In Assembly: June 7—Introduced by Mr. Treadwell, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 8—From committee, with recommendation do pass as amended, read second time, amended, ordered engrossed, 115; made case of urgency, 125; read third time, passed, title approved and to Senate, 126. June 9—Reported correctly engrossed, 151.
In Senate: June 9—Read first time, referred to Finance Committee, 106*; from committee, with recommendation do pass as amended, 108*; made case of urgency, read second time, and amended, 110*. June 11—Returned to Assembly for correction, 122*.
In Assembly: June 11—Passed on file, 173; withdrawn, 176.

- 70—An Act to provide for the reconstruction and repair by the Board of State Harbor Commissioners of the damaged property of the State of California situated on the water front of the City and County of San Francisco, and making an appropriation therefor.

In Assembly: June 7—Introduced by Mr. McGowan, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 8—From committee, with recommendation do pass as amended, 111; read second time, amended, considered engrossed, 112; made case of urgency, 125; read third time, passed, title approved, 126; notice of reconsideration, 127. June 9—Withdrawn by author, 151.

- 71—An Act to amend Section 2528 of the Political Code of the State of California, relating to the disposition of moneys collected by the Board of State Harbor Commissioners.

In Assembly: June 7—Introduced by Mr. McGowan, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 8—From committee, with recommendation do pass, read second time, to engrossment, 113. June 9—Withdrawn by author, 151.

- 72—An Act to amend an Act entitled "An Act to amend Section 1 of an Act entitled 'An Act requiring the payment into the State Treasury of all moneys belonging to the State, received by the various State institutions, commissions, and officers, and directing the disposition of the same,' approved March 17, 1899," approved March 20, 1905.

In Assembly: June 7—Introduced by Mr. McGowan, 81; referred to Committee on Judiciary, 81; read first time, 81. June 9—From committee, without recommendation, 153. June 11—Withdrawn by author, 170.

- 73—An Act to provide for the selection, location, acquisition and purchase of a site or sites, in the City and County of San Francisco, State of California, for the erection, equipment and furnishing of a building or buildings, and for the improvement of the grounds thereof, for the use and occupancy of the officers and departments of the State government of the State of California maintaining headquarters in said City of San Francisco, and making an appropriation therefor.

In Assembly: June 7—Introduced by San Francisco Delegation, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 11—From committee, with recommendation that author withdraw, 184; withdrawn by author, 170 and 184.

- 74—An Act to appropriate the sum of \$83,800 for the use and benefit of the University of California, and specifying the duties of the Controller and Treasurer in relation thereto.

In Assembly: June 7—Introduced by Mr. Bliss, 81; referred to Committee on Ways and Means, 81; read first time, 81. June 8—From committee, with recommendation do pass, read second time, referred to Committee of Whole, report do pass, to engrossment, 113. June 11—Withdrawn by author, 170.

- 75—An Act transferring money from the General Fund to the State Printing Fund, to defray the expenses of legislative printing for the extra session of the thirty-sixth Legislature, and directing the State Controller and State Treasurer to make such transfer.

In Assembly: June 7—Introduced by Mr. Amerige, 82; referred to Committee on Ways and Means, 82; read first time, 82. June 8—From committee, with recommendation do pass, read second time, 99; considered engrossed, made case of urgency, read third time, passed, and to Senate, 105.

In Senate: June 8—Assembly message, 87*; made case of urgency, read first, second and third times, and passed, 88*.

In Assembly: June 8—To enrollment, 118. June 9—Reported correctly enrolled, 151.

- 76—An Act appropriating \$2,500 for restoring certain records and refitting and furnishing the office of the Clerk of the Supreme Court in the City of San Francisco.

In Assembly: June 7—Introduced by Mr. Espey, 82; referred to Committee on Ways and Means, 82; read first time, 82. June 8—From committee, with recommendation do pass, 113; read second time, referred to Committee of the Whole, report do pass, to engrossment, 114. June 9—Made case of urgency, 132; read second time, considered engrossed, read third time, passed, title approved, and to Senate, 147.

In Senate: June 11—Read first time, referred to Finance Committee, 113*; from committee, with recommendation do pass, 132*; made case of urgency, 129*. June 12—Read second and third times, and passed, 144*.

In Assembly: June 12—To enrollment, 200; reported correctly enrolled, 206.

- 77—An Act to provide for the reproduction of the register of the Board of Medical Examiners, the Board of Dental Examiners, or the Board of Pharmacy, where the same has been destroyed by conflagration or other public calamity.
In Assembly: June 7—Introduced by Mr. Bates, 90; referred to Committee on Judiciary, 90; read first time, 90. June 9—From committee, with recommendation author withdrawal, 153. June 11—Withdrawn, 170.
- 78—An Act to amend Section 1670 of the Political Code, relating to the powers of Boards of Education or Boards of School Trustees in issuing bonds.
In Assembly: June 8—Introduced by Committee on Judiciary, 94; read first time, 94; ordered to second reading, substitute for Assembly Bill 56, 94. June 9—Made case of urgency, 132; read second time, considered engrossed, read third time, passed, title approved, and to Senate, 137.
In Senate: June 9—Read first time, referred to Judiciary Committee, 113*. June 11—From committee, recommendation do pass as amended, 133*; read second time, amended, 133*; made case of urgency, read third time, passed, and to Assembly, 136*.
In Assembly: June 11—Senate amendments concurred in, to enrollment, 192. June 12—Reported correctly enrolled, 205.
- 79—An Act relating to the restoration of records which have been injured or destroyed by conflagration or other calamity.
In Assembly: June 8—Introduced by Committee on Judiciary, 95; read first time, 95; substitute for Assembly Bills Nos. 35 and 36, 95. June 9—Made case of urgency, 132; read second time, considered engrossed, read third time, passed, title approved, and to Senate, 146.
In Senate: June 9—Read first time, referred to Judiciary Committee, 113*; from committee, with recommendation do pass, 118*. June 11—Made case of urgency, read second and third times, passed, and to Assembly, 126*.
In Assembly: June 11—To enrollment, 185. June 12—Reported correctly enrolled, 205.
- 80—An Act making an appropriation to pay the claim of Board of Education of the City and County of San Francisco against the State of California.
In Assembly: June 8—Introduced by Committee on Ways and Means, 108; read first time, 108; made case of urgency, 121; read second and third times, passed, title approved, and to Senate, 125.
In Senate: June 8—Assembly message, 97*; read first time, 98*; made case of urgency, 98*; read second and third times, passed, and to Assembly, 99*.
In Assembly: June 9—To enrollment, 131. June 11—Reported correctly enrolled, 174.
- 81—An Act to facilitate the erection of a building or buildings, and the obtaining of a site or sites therefor at San Francisco, for the use of the officers, commissions, boards, and departments of the State government maintaining headquarters in said city, by providing against a deficit in the general fund caused by the appropriation made for said purposes and to provide for the transfer of money to the General Fund from the State School Land Fund to be held in trust as an investment for the support of the common schools of the State of California and to provide for the payment of interest on such investment.
In Assembly: June 8—Introduced by Committee on Ways and Means, 117; read first time, 117; made special order, 117; made case of urgency, 132; read second time, read third time, passed, title approved, and to Senate, 168.
In Senate: June 11—Assembly message, 122*; made case of urgency, 129*; read first, second and third times, passed, and to Assembly, 132*.
In Assembly: June 11—To enrollment, 185. June 12—Reported correctly enrolled, 205; approved by Governor, 203.
- 82—An Act making an appropriation to pay the contingent expenses of the Assembly for the extra session of the thirty-sixth legislature of the State of California during the fifty-seventh fiscal year.
In Assembly: June 9—Introduced by Committee on Ways and Means, 147; read first time, 147. June 11—Read second time, made case of urgency, 165; read third time, passed, and to Senate, 166.
In Senate: June 11—Read first time, 122*; made case of urgency, 129*; read second and third times, passed, and to Assembly, 131*.
In Assembly: June 11—To enrollment, 179. June 12—Reported correctly enrolled, 196; approved by Governor, 200.
- 83—An Act to appropriate money for the purpose of supplying suitable furniture, furnishings, stationery and supplies for the District Court of Appeal of the First District.
In Assembly: June 11—Introduced by Mr. Treadwell, 172; read first time, 172; made case of urgency, 176; read second time, considered engrossed, read third time, passed, title approved, and to Senate, 181.
In Senate: June 11—Read first time, 138*; made case of urgency, 139*; read second and third times, passed, and to Assembly, 140*.
In Assembly: June 11—To enrollment, 190. June 12—Reported correctly enrolled, 205.

ASSEMBLY CONSTITUTIONAL AMENDMENTS.

- 1—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XVI thereof by adding thereto a new section to be numbered two, relative to the creation of a State indebtedness for certain purposes, and the issuance of bonds therefor, and deficiencies in the revenue of the State for certain years.
In Assembly: June 2—Introduced by San Francisco Delegation, 19; referred to Committee on Revenue and Taxation, 20. June 5—From committee, with recommendation be not adopted, and be referred to Committee on Judiciary, 68. June 6—Passed on file, 77. June 9—From committee without recommendation, 153; re-referred to Ways and Means Committee, 153. June 11—Passed on file, 172.
- 2—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, amending Article XI thereof by adding thereto a new section to be numbered twenty, relating to the conferring, for the period of two years, of certain powers and rights on the City and County of San Francisco relative to streets, parks, boulevards, reservoirs and lands now owned or hereafter acquired by it, and the uses thereof.
In Assembly: June 2—Introduced by San Francisco Delegation, 20; referred to Committee on Judiciary, 20. June 4—From committee with recommendation be adopted, 54; read and adoption refused, Mr. Stanton gave notice of motion to reconsider, 55. June 5—Reconsidered, referred to Committee on Constitutional Amendments, 64. June 6—Petition, 75; passed on file, 76. June 7—Telegram, 78. June 8—From committee, majority recommend adoption as amended, 92; amendments adopted, 92-93; made special order, 93. June 11—Re-amended, 165; adopted and to Senate, 171.
In Senate: June 11—Assembly message, 122*; read, amended, 135*; consideration temporarily postponed, 136*; amended, 137*; amended, 139*; adopted as amended, and to Senate, 143.
In Assembly: June 12—Senate message, 197; Senate amendments concurred in, to enrollment, 199; reported correctly enrolled, and filed, 206.
- 3—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Article XIII thereof by striking therefrom and repealing section five of said article, relative to contracts for the payment of taxes or assessments on money loaned or on mortgages, deeds of trust or other liens.
In Assembly: June 2—Introduced by San Francisco Delegation, 20; referred to Committee on Revenue and Taxation, 20. June 5—From committee, with recommendation be adopted, re-referred to Committee on Judiciary, 68. June 6—From Committee on Judiciary, with recommendation be adopted, 70; adopted, and to Senate, 77.
In Senate: June 6—Assembly message, 63*; read, and referred to Committee on Revenue and Taxation, 63*. June 7—From committee with amendments, 70*. June 9—Temporarily postponed, 112*. June 12—Indefinitely postponed, 151*.
- 4—A resolution to propose to the people of the State of California an amendment to Article XI of the Constitution of the State of California, by amending section eighteen thereof, relating to the power of counties, cities, cities and counties, towns, townships, boards of education and school districts, to incur indebtedness.
In Assembly: June 2—Introduced by San Francisco Delegation, 20; referred to Committee on Judiciary, 20. June 6—From committee, with recommendation be adopted, 70. June 11—Passed on file, 172.
- 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 8 of Article XI thereof, relating to the amendment, during the period of two years, of the charters of the City and County of San Francisco and the City of San José without ratification of the Legislature.
In Assembly: June 2—Introduced by San Francisco Delegation, 20; referred to Committee on Judiciary, 20. June 4—From committee, with recommendation be adopted as amended, amendments adopted, 55. June 6—Passed on file, 76. June 7—Reported correctly engrossed, 87. June 8—Read, 110; refused adoption, 111; Mr. Hartman gave notice of motion to reconsider, 111. June 9—Motion to reconsider passed on file to next legislative day, 158.
- 6—Relating to streets in municipalities and protection of pavements thereof from damages or injury.
In Assembly: June 9—Introduced by Mr. Atkinson, 132; ordered on file without reference to committee, 132. June 11—From committee, recommendation refuse adoption, 190.

ASSEMBLY CONCURRENT RESOLUTIONS.

- 1—Relative to adjournment *sine die* of the (extra) thirty-sixth session of the Legislature.
In Assembly: June 4—Introduced by Mr. Stanton, 51; referred to Committee on Ways and Means, 51. June 11—From committee, with recommendation that author withdraw, 184; withdrawn by author, 184.
- 2—Relative to adjournment *sine die* of the (extra) thirty-sixth session of the Legislature.
In Assembly: June 4—Introduced by Mr. John, 51; referred to Committee on Ways and Means, 51. June 11—From committee, with recommendation that author withdraw, 184; withdrawn by author, 184.
- 3—Relative to the cession of Yerba Buena Island to the State of California.
In Assembly: June 7—Introduced by Mr. Atkinson, 85; referred to Committee on Federal Relations, 85. June 11—From committee, with recommendation refuse adoption, 176.
- 4—Relative to calamity services rendered by Federal, State, and local authorities, private individuals, companies, etc., and assistance rendered by the United States and the world.
In Assembly: June 8—Introduced by Mr. Dorsey, 105; read and adopted, and to Senate, 106.
- 5—Relative to printing the laws, code amendments, constitutional amendments, and for free distribution of the same by the Secretary of State.
In Assembly: June 8—Introduced by Mr. Atkinson, 106; read and adopted, and to Senate, 106.
In Senate: June 8—Referred to Committee on Finance, 90*. June 9—From committee, recommended adoption as amended, amended, 103*; adopted as amended, and to Assembly, 126*.
In Assembly: June 11—Senate amendments concurred in, to enrollment, 186. June 12—Reported correctly enrolled and filed.
- 6—Relating to amending the Act of Congress, relating to hydraulic mining in the State of California.
In Assembly: June 11—Introduced by Mr. Whiting, 133; referred to Committee on Federal Relations, 133. June 11—From committee, with recommendation refuse adoption, 176.

ASSEMBLY JOINT RESOLUTIONS.

- 1—Relative to the bill pending in the National House of Representatives of the United States, relating to five per cent of proceeds of sale of public lands.
In Assembly: June 4—Introduced by Mr. Treadwell, 51; read and adopted, and to Senate, 52.
In Senate: June 5—Read and adopted, and to Assembly, 49*.
In Assembly: June 6—To enrollment, 72. June 12—Reported correctly enrolled, and filed, 196.

8-18-80 a.s.d.





